The Nation.

October 7, 1978 $1

AP
2
N37

EDITORIAL

RELIEF FOR THE GREEDY

The current tax-cut craze is something between a fad and a mania. Perhaps it is a bit of both, a kind of pathological Hula-Hoopism, jogging on skateboards. The Republican brass is dashing around the country in a chartered plane trying to sell the public on the notion that the GOP has the patent on the 33 percent cut in individual income-tax rates expressed in the Kemp-Roth bill. The Democrats are hanging onto that flying carpet for dear life, their own pockets bulging with similar schemes to avoid paying "the price of civilization," Holmes's famous description of taxes. Only in the lowest whispers do the tax cutters talk of cutting expenditures—i.e., public services—in order to avoid the surge of inflation that would inevitably go with cut taxes and uncut spending.

Meanwhile, over in the White House, the author of the campaign line about the U.S. tax system—"a disgrace to the human race"—watches warily but silently as Senator Long and his cohorts carve out a tax "reform" so tilted toward the rich and the special interests that he may simply have to veto it.

The headline in *The Wall Street Journal* of September 26 reads "Congress Moves to End Tax Reforms of 1976 Tax Act. . .Votes Delay Heir Tax Boost, Cut Capital Gains Levy, Restore Overseas Breaks." So much for the "reforms" of just two years ago, blown away by the new fiscal realism.

The focus on capital-gains tax "relief" (as if that were a cure for this country's inflation ills) is somewhat novel, especially when it comes on the heels of the President's eleventh-hour appeal for a help-the-needy tax amendment. Senator Long's Finance Committee voted to exempt 70 percent of capital gains from the

(Continued on Page 331)

ALABAMA'S ELECTRIC CHAIR CAMPAIGN
Randall Williams

THE NEW HISS SUIT
Athan Theoharis

THE 'INFORMATION DIGEST' PLOY
Hillel Levin

A.J. LIEBLING ABROAD
Nora Sayre

INVENTING THE NEWS
James Aronson

IRAN AGAINST PAHLAVI

THE PEACOCK THRONE UNDER SIEGE

LINDA HEIDEN

His Imperial Majesty Mohammed Reza Pahlavi, Shah of Shahs, Shadow of God, Light of the Aryans, and Iranian head of state, has undergone, it would seem, a remarkable transformation over the last several years. In 1974, *Harper's* found him ranting, "Freedom of thought, freedom of thought! Democracy, democracy! . . . It's all yours, you can keep it, don't you see? Your wonderful democracy. You'll see in a few years what your democracy leads to." The logical application of this attitude resulted in what John Thorne, human rights investigator for the National Lawyers Guild, described as "a police state that does not have the slightest respect for the most basic human rights."

Today, articles in many Western papers suggest, at a quick glance, that all that has changed: the Shah has become a progressive, worldly leader doing his best to steer a backward nation into the 20th century. Recent wire service reports emphasize "Shah Mohammed Reza Pahlavi's attempt to encourage the creation of a Western-style democracy in Iran," while an article in *The Christian Science Monitor* focuses on the Shah's "unwavering determination to turn his oil-rich but still partly illiterate country into the most powerful, modern industrial state in the Middle East." When rising protests resulted in army troops opening fire on thousands of demonstrators, *Time* described the monarch as a man "deeply wounded by events spawned from his own dream for Iran," and "searching for ways to calm his troubled people."

But Iran's 35 million people have re-

(Continued on Page 345)

ETSU LIBRARY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LETTERS

IN THE REAL WORLD

New York City

Aryeh Neier argues ["The Rights of Farber's Sources," *The Nation*, Sept. 16] that it's O.K. to force a reporter, under penalty of contempt, to inform on his sources because a defendant has the constitutional right "to be confronted with the witnesses against him."

It is disastrous to confuse the press with the state. A news report may result in an indictment, but an indictment cannot stand on, or even use, a news report.

In the real world, the reporter is not a witness for the prosecution. It is the grand jury that accuses, and the prosecution that presents evidence—not hearsay, and not newspaper clippings—in an effort to prove that the defendant is guilty beyond the shadow of a doubt.

The defense may question the evidence, the witnesses, the police, the prosecution and the grand jury record. What has appeared in the press is not in question, except in pleas for a change of venue. Even there, the courts should not dictate what the press may print.

Suddenly, the press is becoming a target of subpoenas and search warrants. Why? Largely because there has been a modest revival of investigative reporting, and the reporters are now being seen as a menace.

Neier recognizes that the right of anonymity for whistle blowers is fundamental to our liberty. Yet he would discard it where the whistle blowing results in an indictment. Finding a conflict of rights where there is none, he goes on to make a cockeyed distinction between private and public criminals—between the contractor who pays a bribe and the official who receives it, say?—and proposes that the government abandon any prosecution of a corrupt official where the defense might, under his interpretation of the law, force a reporter to disclose his source.

Neier reassures us that the exposure of the corrupt officials in the press is punishment, after all. If he had his way, though, they wouldn't likely be exposed in the press. Their crimes, after all, usually involve accomplices in the world of private business. . . .

Consider Robert H. Collins of the *St. Louis Post-Dispatch*. His exposés of corruption since 1969 are credited with having led to eighty-one convictions. By the Neier rule, Collins would have been in jail since 1969, and eighty-one crooks would be in the clear.

Our civil liberties have such friends that they need no enemies.

John L. Hess

New York City

Mr. Hess purports to answer me by avoiding my argument: that it is the source's right to anonymity that is at stake. While preserving that right against breach by government is important, it is equally important not to allow the government to send people to prison without giving defendants an opportunity to pierce that shield of anonymity if they can demonstrate it is essential to their defense.

Hess would deny a defendant any opportunity to demonstrate that evidence is essential simply by adopting a blanket rule that it is not essential or, as he puts it, that, "What has appeared in the press is not in question."

A rule of that sort does not comport with a commitment to fairness in criminal proceedings. John Hess may be certain he knows who are the crooks—perhaps anyone an investigative" journalist says is a crook—but some of us prefer to find out through fair trials.

Aryeh Neier

MATTER OF TASTE

Washington, D.C.

The Calvin Trillin column, "Variations" [July 22-29] contained enough expressions of social prejudice to meet any bigot's annual quota. Mr. Trillin trotted out the objectionable quotes with the innocent air of "Now, what was the name of that song?"

I will note only the slur on Arabs, leaving other groups to respond on their own. Mr. Trillin regretted that no one objected to it the first time, so he raised it again on his own. Mr. Trillin's lack of taste does open up a new world for bigots, however. Instead of being quoted on their own, and subsequently skewered (as they should be, like former Agriculture Secretary Earl Butz), the new game is to do it all in the name of history. Then the bigot can protest, "But I was only quoting someone else." In another context, the equivalent statement was, "But I was only following orders."

John P. Richardson
Director of Public Affairs
National Association
of Arab Americans

New York City

It should please Mr. Richardson that the only logical response to his letter is to quote a noted Arab: It was, I believe, the Grand Mufti of Jerusalem—or perhaps Danny Thomas—who said, "It is futile to defend a joke to a man of no humor." Mr. Richardson might also be pleased to hear that his comparison of the joke in question to someone "only following orders" has made him co-recipient for 1978 of the Trivializing the Holocaust Award, a prize I hand out every year. He shares this year's award with a housewife from Bensonhurst who called a Times Square newsdealer a Nazi for declining to give her change for a quarter.

Calvin Trillin

KRIEGER vs. WEINSTEIN, et al.

Rohnert Park, Calif.

I am involved in an action arising out of the publication of Allen Weinstein's *Perjury*. He says in the book that I am the former union organizer, Clarence Miller, who fled the country after being convicted of second-degree murder in the Gastonia, N.C. textile strike of 1929. In other words, that I am a fugitive from justice.

In an attempt to clear my name, I am suing Weinstein, his publisher, Alfred A. Knopf, and *The New Republic* for libeling me.

Since I do not regard this as a personal matter and my resources are limited, I would appreciate financial assistance.

Contributions may be sent to Legal Fund to Clear Sam Krieger, 586 Lamont Ct., Rohnert Park, Calif. 94928. Any money received will be regarded as a loan to be repaid if the suit is won and damages are awarded.

Sam Krieger

ON BEHALF OF VELASCO

Santiago, Chile

As a Chilean who loves peace, justice and freedom, I was pleased to read the editorial, "Chile's Fake Amnesty," by Eugenio Velasco. [*The Nation*, Aug. 19-26].

Thanks to DINA, the Chilean Secret Police, I was able to participate in perhaps one of the most important actions in my career as a lawyer. Having witnessed the brutal and illegal arrest of Velasco on Aug. 6, 1976, right in front of the Supreme Court, I was able within minutes to present a *habeas corpus* on behalf of my friend.

Unfortunately, today our courts don't grant Chileans the protection of that ancient legal appeal.

Velasco is a symbol for those here in Chile who carry on the struggle for freedom.

Guillermo Videla Vial

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CONTENTS

Volume 227, No. 11

COVER
Editorial: Relief for the Greedy — *Joseph H. Crown*
The Peacock Throne Under Siege — *Linda Heiden*

LETTERS
330

EDITORIALS
332 What Bears Repeating; "Stupid Umbrella"
333 *Variations* — *Calvin Trillin*

ARTICLES
334 The Electric Chair Campaign: Politics of Fear in Alabama — *Randall Williams*
336 Abuse of Power: What the New Hiss Suit Uncovers — *Athan Theoharis*
342 Spies as Newsmen: The "Information Digest" Ploy — *Hillel Levin*

BOOKS & THE ARTS
349 A.J. Liebling Abroad — *Nora Sayre*
350 Cezanne (poem) — *Philip Schultz*
352 Schudson: Discovering the News — *James Aronson*
353 How to Love Mountains (poem) — *Kathy Callaway*
354 Goulden: The Million Dollar Lawyers — *Tom Goldstein*
354 The Death of Saint Clare (poem) — *Sarah Gorham*
355 Hauser: The Execution of Charles Horman — *Alex Beam*
356 Films — *Robert Hatch*
357 Theatre — *Harold Clurman*

Editor, Victor Navasky

Executive Editor, Robert Hatch; *Literary Editor*, Elizabeth Pochoda; *Poetry Editor*, Grace Schulman; *Copy Editor*, Marion Hess; *Assistant Copy Editor*, Patricia Dowling; *Assistant Editor*, Kai Bird; *Special Projects Editor*, Philip Pochoda; *Editorial Assistants*, Sydne Silverstein, Karen Wilcox; *Editorial Secretary*, Ola Lyon.

Departments: Theatre, Harold Clurman; *Art*, Lawrence Alloway; *Music*, David Hamilton; *Dance*, Nancy Goldner; *Architecture*, Jane Holtz Kay; *Indigenous Music*, Nat Hentoff; *Television*, Peter Sourian; *Press*, Richard Pollak; *White House Correspondent*, Robert Sherrill. *Correspondents: Latin America*, Penny Lernoux; *London*, Raymond Williams; *Paris*, Claude Bourdet; *Bonn*, C. Amery; *Canberra*, C.P. Fitzgerald. *Columnists*: Carey McWilliams, Calvin Trillin. *Contributing Editor*, Blair Clark. *Editorial Board*: James Baldwin, Norman Birnbaum, Richard Falk, Frances FitzGerald, Philip Green, Sidney Morgenbesser, Aryeh Neier, Marcus Raskin, A.W. Singham, Alan Wolfe.

Publisher, Hamilton Fish

Advertising Manager, Susan Ellen Heitler; *Business Manager*, Ann B. Epstein; *Circulation Manager*, Gloria Sangster; *Assistant to Publisher*, Karen Polk; *Staff*, John Holtz, Greta Loell; *Nation Associates*, Claudine Bacher.

The Nation is published weekly (except for the first week in January, and bi-weekly in July and August) by Nation Enterprises and copyright 1978 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N.Y. 10014. Tel.: 212-242-8400. Second-class postage paid at New York, N.Y. and at additional mailing offices.

Subscription Price: One year, $21; two years, $37. Student rate $15 a year. Add $3 per year postage for Canada and Mexico; $5 other foreign. All foreign subscriptions must be paid in equivalent U.S. funds.

Change of Address: It is essential that subscribers ordering a change of address give four weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

EDITORIALS

(Continued from Front Cover)

regular tax. So, an investor making capital gains of $200,000 or a million will pay a top tax rate of 21 percent—the same as a married couple earning $8,000. Even the Hays Ways & Means Committee balked at the 25 percent top rate fixed under the Republican Hansen-Steiger Amendment, and set it at 35 percent. The Senate Committee's change would mean an annual windfall of $4.2 billion—75 percent of it going to those making more than $50,000.

The House voted to index capital gains against inflation. But when an amendment was produced to do the same for earned income—by raising the personal exemption, tax brackets and the standard deduction in line with consumer prices—the Senate Committee turned it down. Of the tax cuts flowing from capital-gains indexing, 71 percent will go to those making more than $50,000. It is worth noting who would gain from these drastic cuts in capital-gains taxes. Only .0046 of the nation's taxpayers, or .0018 of the population, enjoy and realize capital gains—in numbers, some 397,000 persons per year. It has been figured that in the average Congressional district of 480,000 people, a mere 888 might benefit from a capital gain while the other 479,112 are left out in the cold. Populism anyone?

The "populist" increase in the personal exemption from $750 to $1,000, passed by the House, is a hoax. Behind the scenes, the $35 per person general credit was eliminated, along with the 2 percent credit on the first $9,000. Thus, a 70 percent top-bracket taxpayer will save $175 (.70 x $250) for each exemption. The fellow in the lowest bracket (14 percent) saves only $35. The elimination of the general tax credit will increase taxes for 2.5 million single people and couples with dependents, earning under $20,000. A shell game!

By the terms of the 1978 Revenue Bill, as it is emerging from the hands of Capitol Hill's friendly tax cutters, most Americans will be paying *more* income and payroll taxes than ever before, thanks to inflation and higher Social Security taxes. If Congress had ever meant to do something to counter the effects of inflation and to offer tax relief to the majority of Americans, it would have done the following for starters: (*1*) given a 5 percent Social Security income-tax credit (the Gephardt Amendment); (*2*) increased the general tax credit, which is much more equitable than the illusory and regressive increase in the personal exemption, and (*3*) indexed personal income taxes, not just capital-gains taxes.

OCT 1 0 1978 The Sherrod Library EAST TENNESSEE STATE UNIVERSITY Johnson City, Tennessee

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

VOLUME 227, NUMBER 10

In the stress of sending the redesigned *Nation* to be produced by a new printer, the volume and number were omitted from the issue of September 30. That information is given above, and the editors regret any inconvenience caused by the oversight.

None of these measures shows any signs of life on Capitol Hill as Congress nears adjournment. The tax doctors, cutting close to the bone of the average citizen but paring with great delicacy when they near the nerve ends of the rich, dare to suggest to us that the capital-gains break will result in a flood of investment from the commonweal, despite all history to the contrary. As for President Carter, he might do well to recall Franklin Roosevelt's line when he considered the tax bill of 1941. FDR called that particular monstrosity "relief for the greedy, not for the needy"—and he vetoed it.

JOSEPH H. CROWN

What Bears Repeating

Most magazines have the peculiar theory that if they have covered a subject this week they shouldn't come back to it next week, or even next month. "We already did that," is the editorial chorus heard throughout the land.

We have an opposite theory. The very fact that we have written about a subject once suggests that it is probably important enough to return to again and again. Issues as fundamental as those raised by Skokie, Bakke, the U.N. Special Session on Disarmament, the cold war itself, do not go away because *The Nation*, or any other magazine, has published an article. "For truth," as Heywood Broun wrote many years ago in these pages, "there is no deadline."

And so in this issue, we return once again to the case of Alger Hiss (p. 336). Historian Athan Theoharis's account of Alger Hiss's petition for a writ of *coram nobis*, which would set aside his original conviction for perjury, is particularly important because the case has gone virtually unreported by the same press which gleefully retailed historian Allen Weinstein's unproven assertions of Hiss's guilt. Since the *coram nobis* petition is based on thousands of documents which even Weinstein never examined, the press's failure to give it adequate coverage seems a default of duty.

Another area where the press seems to have misled through lopsidedness is in its coverage of Iran. For some years the media have faithfully reported the Shah's repeated assertion that all those writers and artists who claim to have experienced barbaric tortures in his dungeons were "Marxists." Now the press faithfully reports the Shah's claim that the mass demonstrations against him are the result of "Moslem fanatics" opposed to his "liberalization" and modernization programs. Linda Heiden's analysis of the political earthquake in Iran (cover) places the steamy politics of that under- and misreported country in perspective.

A fillip on the tenuous relationship between our journalism and our truths is added by Hillel Levin's report on the Reeses, two political informers who, by "publishing" their tidbits in their own for-law-enforcement-agencies-only newsletter, *Information Digest*, seek the privilege-protections now being withheld from Manny Farber of *The New York Times*.

Last week we should have mentioned that our Latin American Correspondent Penny Lernoux's article on Brazil, "Torture, Murder & a Church Divided," was adapted from her new book, *Be a Patriot, Kill a Priest*, to be published by Doubleday.

'Stupid Umbrella'

Who ever heard of a person keeping an umbrella for fifteen years? But there was Louie Steven Witt of Dallas, testifying before the House Assassination Committee that he had opened his umbrella as the Kennedy motorcade went by at the fateful moment on November 22, 1963, simply to heckle the President with the galling reminder of his father's support of Chamberlain's appeasing "Peace in Our Time" at Munich in 1938. And he had the aged umbrella to display as Exhibit A.

By noting the unlikely survival of the Witt umbrella for a decade and a half we do not mean to start a new round of conspiracy fantasies. But the testimony of the embarrassed Witt on what he calls his "stupid umbrella" has been a comical highlight of the long-running show staged in Washington with the declared intent of ending the prosperity of the conspiracy industry.

The effort won't succeed, of course, assuming that it had that serious purpose, as against putting on a show. The House has spent more than $5 million raking over the ashes of John F. Kennedy and Martin Luther King, Jr. It has solemnly listed all the conspiracy theories and listened at length to their proponents and to the "experts" who refute them one by one. The committee is bound to conclude, yet again, that, whatever the flaws in their methods, the investigators of fifteen years ago were right about the basic facts of both those dreadful murders. And the conspiratorialists will go on spinning their grisly fantasies, citing new "evidence" from the very Congressional hearings that were meant to put them out of business.

It is not a pleasing performance that the House is staging, the playing to the gallery by the Congressmen and some of the witnesses is too obvious. The whole show is a kind of substitute for serious politics, a melodramatic revival of two tragedies, a distraction of the nation's attention from the real problems and their achievable solutions.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

VARIATIONS

CALVIN TRILLIN

With all of the talk recently about the property tax in California, I'm surprised that nobody is discussing my suggestion that hot tubs be taxed at a higher rate than flower gardens. For some reason, everybody wants to argue only about how high property taxes are, completely overlooking their potential as an instrument of public policy. For years, the property tax has remained philosophically dormant while the income tax laws expressed the values of the society. Allowing an income-tax deduction for mortgage interest, for instance, is obviously another way of saying that every man should have a castle—or two or three castles if he is able to pick up a deal on a beach house and scrapes up the down payment on a ski chalet. The ceiling on taxation of capital gains reflects the national belief that speculation is a more worthwhile way to make a living than work. The deduction for charitable contributions is simply the government's way of indicating that rich people are in a better position than poor people to decide which eleemosynary institutions are deserving of the taxpayers' support. Why else would coal miners be required to share the cost of a stockbroker's gift to the St. Paul's School's boat-house fund? The laws providing tax shelters reflect the strong philosophical commitment of the Founding Fathers, particularly Alexander Hamilton, to the principle that the public good would be served if dentists owned cattle ranches.

Although some cities offer property tax abatement as a way of attracting industry, the levy on residential property has never been widely recognized as anything except a device for raising funds to support the machinery of government—what less sophisticated societies would call a "tax." In fact, the lessons to be learned from the accidental social impact of the property tax run contrary to the teachings of the American Way of Life. Could it be, for instance, that the Founding Fathers, thrifty homeowners all, intended that a citizen be penalized through taxation for improving his property? Would Benjamin Franklin approve of an assessment system that undercut a man's incentive to provide his family with aluminum siding and weather stripping throughout? Is it really American to demand that the owner of the big house on the hill—a man whose tendency toward acquisition has been encouraged by income tax laws allowing him to depreciate over six years a Boeing 747 he owns in company with two dermatologists and a shopping-center czar—pay more than the shack dweller for the education of the town's children? The children of the owner of the big house on the hill are not even among those being educated: he is the stockbroker and they row on the 150-pound crew at St. Paul's School.

I first proposed that property tax be brought under social-policy planning several years ago at a tax symposium I held at Arthur Bryant's barbecue restaurant in Kansas City. Interestingly enough, there was a complete press blackout. To be fair, that might have been caused partly by my reputation for proposing legislation that some considered arbitrary, if not draconian. There had been some quibbling, I realize, about my proposal that, by federal law, anybody caught selling macrame in public be dyed a natural shade and hung out to dry. That was also true about the law I proposed, as a registered representative of the Traveling People lobby, mandating that any city failing to provide clear and plentiful directional signs to the airport would lose its major league franchise.

There is, however, nothing remotely draconian about my property-tax proposal. It is thoroughly consistent with the American concepts of democratic decision making and local control. A City Council controlled by the aesthetes could exercise its mandate by assessing inert mobile homes or front-lawn flamingos at 800 percent of market value. If the philistines regained control at the next election, they could tax architectural understatement to their hearts' content. When the populists take over in Beverly Hills, they could double the tax rate for any house that included a private screening room.

Once the Malibu City Council also fell to the populists, left-wing producers who had always stretched chain-link fences between their $200,000 beach houses in order to keep the riffraff off the beach would find it to their economic advantage to change their views about who owns the shoreline. Accountants who might now phone a Malibu client to tell him that he has been taken out of oil drilling and into shrimp fishing will become accustomed to adding something like, "We're taking you out of No Trespassing and into Public Access and writing forty grand off the assessment the first year." The PRIVATE—NO TRESPASSING signs would come down, to be replaced by signs saying PUBLIC BEACH—ALL WELCOME—HAVE A REAL NICE DAY—PLEASE STOP BY IF THE KIDS NEED TO USE THE BATHROOM.

For years, I have had a fantasy that helps me fall asleep peacefully: on some cold winter night, a paramilitary strike force of Townies in some place like Nantucket or Edgartown, Martha's Vineyard, ties up all watchmen thought to be loyal to the summer people and then paints every weathered shingle house in town, alternating house by house between turquoise and salmon pink. If property taxes were properly used, there would be no need for such turmoil. The Townies, safely in control of government all winter, would simply assess property owners $14 for each unpainted shingle, and then sit back while every house in town was painted by what one of my predecessors in this line of work referred to as the Invisible Hand. For the sake of such a peaceful transition, I'd even be willing to give up my fantasy about the strike force. I still have the one about the populists taking over in Beverly Hills. □

LIBRARY
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ARTICLES

THE ELECTRIC CHAIR CAMPAIGN

Politics of Fear In Alabama

RANDALL WILLIAMS

Montgomery, Ala.

Thirty years ago, Alabama was thought to be the most liberal of Southern states. It had a populist Governor in "Big Jim" Folsom, and its Senate leadership had roots reaching deep into New Deal policies. Then in the 1950s and 1960s, Alabama voters chose the Politics of Race with George Wallace as standard-bearer.

Wallace is leaving Alabama politics this year, and the consequent scramble has been furious. Candidates for nomination in the September Democratic primary eagerly sought black endorsements and votes; one could travel from the Tennessee Valley to the Gulf Coast and never hear a politician say "nigger." The Politics of Race seemed finally to be diminishing in Dixie, but, in fact, it was becoming more subtle, cloaked in talk about law and order, about crime and criminals. On the farms and in the suburbs they know which criminals they are afraid of, and they want to lock them deep inside the prisons or, better yet, execute them. The Politics of Fear is taking hold in Alabama and the chief shouter of the message is a relatively unknown candidate for Attorney General named Charlie Graddick, Mobile's district attorney and winner of the recent primary with two-thirds of the vote.

Not since Wallace in 1962 has a candidate in Alabama used rhetoric as volatile and as demagogic as Graddick's in the Democratic primary campaign. He told voters that he not only favored the death penalty; he was, he said, *eager* to see Alabama's bright yellow electric chair used again, that he would like to "fry them 'til their eyeballs pop out and 'til you can smell their skin burn."

In his TV commercials, Graddick was a humorless figure, with pinched features that reminded one of a ferret of singular determination. In one of his commercials the revolving light of a police car illuminated the chalk outline of a body that was supposed to have been found in the street. Graddick was practically shouting as he stepped across the chalk marks: "Another woman has been raped and murdered. . . . It has been proven that the death penalty is an effective deterrent to such crimes. . . ."

That is an inaccurate, distorted statement. No known death penalty study proves anything conclusively about deterrence, and the most respected studies, among them *The Deterrent Effect of the Death Penalty: Fact vs. Faith* by Hans Veisel, suggest that the death penalty might, if anything, have a slight tendency to raise the homicide rate. That, sociologists say, is because violence begets violence; and because, when the legal system takes a life, it sets a bad example.

Graddick's ability, with that kind of rhetoric, to win the primary by a 2-to-1 margin, is a clear signal of where voters stand on crime and criminals. People in Alabama, much like people in the other states, are afraid of crime and are in the mood for retribution. And Graddick, like most politicians, has been only too happy to tell them what they want to hear. Advocating the death penalty is simple and politically safe; it requires no expensive advertising agency; 62 percent of the voters in the country will agree, and it obviates the difficult, and perhaps politically dangerous, step of suggesting what might actually be done to bring crime under control.

Still, Graddick's success with that appeal was surprising. Eight other candidates, including two other prosecutors, were in the race, and all but one prominently mentioned support for the death penalty. The voters chose the hardest of the hard-liners: "Charles Graddick makes George Wallace look like John Kennedy," said one disgruntled liberal.

Graddick copied the campaign style of the current Atty. Gen. Bill Baxley, who this year is trying to come from behind to win the Democratic nomination to succeed Governor Wallace. Baxley was also a prosecutor from a south Alabama county when he won the Attorney General's office eight years ago. And he, too, took a hard line, saying that he had obtained more convictions in his county than any prosecutor in history. Once in office, he prosecuted white-collar crooks, air and water polluters, corrupt state and local officials and street criminals alike. Along the way he gained a statewide recognition and a political power base. Graddick's opponents fear he had built a similar base; but knowing his record, they hardly expect him to be a vigorous prosecutor of anything except street crime.

Baxley, for example, prosecuted and convicted one of the bombers of the 16th Street Baptist Church in Birmingham, a crime that had gone unsolved for fifteen years. If the Glenn Diamond case of a few years ago is an indication, Graddick wouldn't have touched the bombing case.

Diamond, a black man, was near the scene of a robbery and was picked up by white Mobile police officers. The officers, who later said they had not been trying to hurt him, put a noose around Diamond's neck, threw the rope over a limb and yanked it. He did not suffer serious injury, and when the investigation was over, the police learned that there had been no robbery. But the ugly incident dredged up all the old memories of lynchings, and Diamond was still charged with the mythical robbery, perhaps to divert attention from the police misconduct. Diamond brought suit for violation of his civil rights and Clint Brown, his lawyer, asked Graddick to investigate.

Brown, a Mobile defense attorney, says of Graddick: "We really had to shove Charlie to get him to do anything. We said we were tired of running to the

Randall Williams is a free-lance reporter and a staff member of the Institute for Southern Studies, Chapel Hill, N.C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

feds all the time and that he was our District Attorney and he should act on this. In the meantime, the city had a probe and fired several officers and Charlie decided it was safe to prosecute. But he indicted the police for assault and battery, when there was a lynching statute which could have been used. The prosecution was halfhearted at best, and the two cops tried were found not guilty."

Brown believes Graddick has spent his time in office preparing to run for Attorney General. "He picks cases to prosecute personally that are big in publicity value, and then he flirts with reversible error as he tries them."

Graddick boasts that he has personally convicted more murderers who have received the death penalty under current Alabama laws than any other prosecutor. But most of the criminals he has convicted have been about as easy to defend as Jesse James. Thomas Whisenhant, for example, whose photograph Graddick uses in his campaign literature, had confessed to the abduction and murder, in separate incidents, of three Mobile store clerks.

Whisenhant's arrest was filmed live by a local television station, and Graddick held press conferences at which he announced Whisenhant's confession and details of the crime. When the trial was moved to Birmingham because of that prejudicial publicity, Graddick reportedly was pleased; it allowed him to play to a north Alabama audience.

In another of Graddick's big cases, he convicted two young men who had confessed to killing a Mobile pawnbroker. Like Gary Gilmore, the two defendants said they wanted to die rather than spend the rest of their lives in prison. They told the jurors that, if they got less than a death sentence, some day they would escape or be paroled and would hunt down the jurors to kill them. Graddick said his only regret about that case was that the electric chair could hold only one condemned man at a time.

Graddick claims that he no longer plea bargains—that the criminal either pleads guilty or goes to trial. Another candidate for Attorney General said that policy was counterproductive in drug cases. "I remind you that hard drugs flow through Mobile Bay like oil through the Alaskan pipeline," he said, adding that plea bargains are usually the only way to catch those higher up the drug chain.

Attorney Brown also says that Graddick is without compassion, even when the circumstances would seem to demand it. He recalls the case of a 21-year-old who got sucked into acting as lookout on a robbery, and later came voluntarily to the police and confessed. Despite written recommendations from the police chief, the arresting officers and community figures, Graddick refused to recommend probation. "I don't know what any of Charlie's personal feelings are about all this stuff," said Brown. "So much of what he does seems to be purely political."

Graddick won his first campaign for District Attorney as a Republican, but was "born again" a few years later as a Democrat. His victory in the Democratic primary runoff of September 26 is

tantamount to election in Alabama. His opponent, state Sen. Joe Fine, was crippled by charges that he used his influence with the Alabama Power Co., a generally disliked utility, to get an illegal brokerage fee based on coal sales. But Fine squeaked into the runoff by a few thousand votes which boosted him into second place as the final vote totals were announced. Fine had been running closely behind Julian McPhillips right up to the finish. But between the time when the votes were counted unofficially by a statewide media pool on election night and the announcement of the official results by Democratic Party officials three days later, McPhillips's lead had disappeared and Fine was in front.

"In the year 1978, even in the state of Alabama, I wouldn't have thought it could happen, but happen it apparently has; they stole the election!" McPhillips said. For Graddick, McPhillips would have been a tougher opponent than Fine, and would have been much easier for liberals and moderates to support.

Graddick's electric-chair rhetoric and Fine's financial dealings spawned the political joke now making the rounds that Alabama voters faced the choice "between a cook and a crook." It was an especially frustrating choice for many Alabama voters. It was thought here that George Wallace's moderation in recent years and his retirement from Alabama politics this year meant that Alabama was finally going to put the 1950s and 1960s behind it. But the voters found a new demagogue in Charlie Graddick. In the service stations and cotton mills, and in the banks and corporate headquarters, as well, the desire for vengeance is in the hearts of the people. They know just what Charlie Graddick meant with his talk about law and order. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ABUSE OF POWER

What the New Hiss Suit Uncovers

ATHAN THEOHARIS

On July 27, Alger Hiss petitioned the court for a writ of *coram nobis* "setting aside a judgment of conviction dated January 25, 1950, judging him guilty on two counts of perjury." The American press, which last spring gave much attention to Allen Weinstein's *Perjury*, found little of interest in Mr. Hiss's most recent action. The response of *The New York Times* which gave front-page coverage to Mr. Weinstein's original charges, was typical: it carried a brief, factual notice deep in its pages. Many of those who reviewed *Perjury* accepted Mr. Weinstein's conclusions that Hiss was not only guilty of perjury but had in fact committed espionage, and some of them have challenged him to come forth with the truth—by implication, to admit that he was indeed guilty.

Mr. Hiss has indeed responded, though not to this challenge from his critics. Instead, he is making yet another attempt to restore his good name. In his writ he alleges that files he has obtained under the Freedom of Information Act disclose that:

> The trial of the petitioner was unfair in many respects and that failure to afford him a fair trial reached constitutional dimensions. Over-reaching by the prosecution resulted in a multitude of improprieties which, taken separately or in the aggregate, deprived plaintiff of a trial in accordance with the standard guaranteed by the Constitution and laws of this country. Thus, the prosecution maintained an informer in the legal councils of the defense for several critical months before the trial; pre-trial statements, given by Chambers to the FBI and prosecution, were concealed and the very existence of the statements was falsely denied; critical facts concerning the typewriter on which, the government claimed, the stolen documents were copied or extracted were kept from the defense, the court and the jury; and the prosecution suffered perjury to be committed by its witnesses without protest.

Hiss's suit is welcome in part because it broadens the debate from the present narrow focus on Hiss's guilt or innocence to other more important questions: those raised by the conduct and methods employed by FBI and Justice Department officials from 1948 through 1952 to insure Hiss's conviction. This "abuse of power" has heretofore been virtually ignored—even to the extent that, in his review of *Perjury* (*The Progressive*, September), Stanley Kutler unreservedly concludes that the Hiss trial, unlike other cold-war trials, was conducted fairly and judiciously with no abuses of power or violations of the defendant's constitutional rights. In fact, as the evidence presented in support of the petition confirms, the conduct of the trial was outrageous.

What, then, is this evidence? Does it warrant setting aside the conviction? Will a ruling to that effect establish Mr. Hiss's innocence? The last question can be quickly answered. Should the court rule in favor of the petition, it will not affirm Hiss's innocence but only that he was denied a fair trial and was thus wrongly convicted. It is important nonetheless to address the abuses of power issues posed by the Hiss petition, for they go to the heart of the American judicial system and require us to consider the safeguards provided for defendants (the more so for those who, unlike Hiss, lacked both the resources to secure expert counsel and the solid reputation of this once-prominent American).

First, Hiss's petition alleges that Horace Schmahl, an investigator hired by the defense in 1948-49, met repeatedly with FBI agents and Assistant U.S. Attorney Thomas Murphy (the chief prosecutor in the case) "and advised them of defense activities and plans of which he learned in the course of his employment with Hiss's lawyers." FBI documents record Schmahl's contacts with FBI officials and with U.S. Attorney Murphy. Bureau officials, moreover, were troubled by these contacts; a June 1, 1949 document noted pointedly that "inasmuch as the HISS case is presently in trial it appears that any contact with SCHMAHL at this time could be later construed adversely and it is, therefore, recommended that no action be taken concerning referenced memo [of May 27, 1949]." But if certain FBI agents had reservations about communicating with Schmahl during the trial, Murphy did not. An FBI memo dated June 14, 1949 records that Schmahl had an appointment with him on June 6 "in connection with that [the Hiss] case" in order "to give information [to Murphy] concerning the HISS case and that an additional interview is anticipated in the immediate future." The FBI and Justice Department records do not disclose the extent of the information Schmahl provided Murphy, but a 6-page defense memo ("Outline of Investigation"; December 28, 1948) was found in Murphy's files.

Murphy was less worried about the Schmahl connection than were some of the FBI agents because he had devised a relatively foolproof way to communicate with Schmahl, and a similarly safe filing procedure for this sensitive information. An FBI document of September 22, 1949 details this method: "It will be recalled that HORACE SCHMAHL did, so far as it could be ascertained, all of the legal work for [John] BROADY [for the Hiss defense], and as it will also be recalled, *confidentially through ARMAND CHANKALIAN, administrative assistant to the United States Attorney, SDNY* [Southern District,

---

Athan Theoharis, professor of American history at Marquette University, is the author of Seeds of Repression: Harry S. Truman and the Origins of McCarthyism *(Quadrangle Books) and* The Yalta Myths: An Issue in American Politics, 1945-55 *(University of Missouri Press). He is completing a study of internal security policy in the years 1936 to 1976, tentatively called* On the Road to 1984.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New York], turned over the results of his investigation." The presence of Chankalian as a go-between had two advantages in the event that the Hiss defense came to suspect Schmahl. First, if defense attorneys requested any document provided by Schmahl and/or any Schmahl file held by the prosecutors, the prosecution could reply that no such file existed. Second, Murphy could deny having received any information directly from Schmahl. It is disturbing that this surreptitious contact was permitted, indeed encouraged, by the Assistant U.S. Attorney.

Yet Murphy's role in the Schmahl affair was consistent with his general conduct during the trial and, most notably, as this related to the pretrial testimony of Whittaker Chambers. For Murphy, Chambers's credibility was central to a conviction. The problem, however, was that Chambers's trial testimony sharply contradicted testimony he had given to FBI and State Department security officials between 1939 and 1949 about the date of his break with the Communist Party, whether or not he had engaged in espionage, and his relations with other individuals. If all of these statements were provided to the defense—as the defense had requested and the judge ordered—Chambers's credibility could be seriously undermined. It might also seem that Chambers's current testimony had been developed in concert with the FBI.

Accordingly, Murphy devised yet another strategy of nondisclosure and noncompliance. In the case of a March 28, 1946 statement by Chambers, the prosecution simply did not produce it—thereby flatly ignoring the court order. However, a more elaborate and sophisticated strategy was devised to deal with Chambers's May 11, 1949 statement (really a summary memorandum recording FBI interviews with Chambers of January 3-7, 11-14, 18-21, and 25-28; February 3-4, 9, 15-16, and 23; March 1-3, 8-10, 15-16, and 30-31; and April 5-6, 12-14, and 18, 1949). To avoid producing this statement, an FBI memorandum of April 27, 1949 reports:

> On this date SA [Special Agent] J.M. KELLY and the writer [SA Thomas Spencer] had a conference with SAAG [Special Assistant Attorney General] T.J. DONEGAN in connection with the statement in this case which has been supplied by CHAMBERS. In a previous conference AUSA [Assistant U.S. Attorney] THOMAS MURPHY had indicated the probable desirability of leaving this statement unsigned. On this day, MR. DONEGAN stated that. . . it was now both MURPHY's and DONEGAN's opinion that CHAMBERS should not sign the lengthy general statement that has been obtained from him over the course of the past several months.
>
> DONEGAN pointed out that since CHAMBERS would be a Government witness and a friendly one, no material benefit could be gained by him signing this statement. He pointed out that on the other hand, if he did sign it, this fact might be brought out during the course of the trial, and although the statement might not actually be presented to the jury there was a possibility that the Judge might allow the defense attorneys to read the statement, which would result in some complications. . . . He pointed out that the statement in question, of course, is very lengthy and if the defense attorneys got their hands on it, they might use some of the material therein to at least cloud the issue. . . .

Similarly, when prosecution witnesses Edith Murray and George Roulhac falsely testified as to the number of their contacts with FBI agents in preparation for their trial testimony, U.S. Attorney Murphy permitted them to give false testimony without protest. FBI documents recount the frequency of FBI agent meetings with these witnesses (contradicting the impression created at the trial of limited perfunctory interviews); in addition, these documents strongly suggest witness-coaxing. Mrs. Murray was, in fact, described in FBI documents as a cooperative witness and her testimony (and recollections) on key points changed during the course of FBI interviews. FBI documents demonstrate a consistent pattern of recollection—from vagueness and error to precise recall and identification, corroborating the government's case or challenging the contentions of the defense.

Nor were prosecutor Murphy's questionable methods confined to the attempt to prepare his witnesses. Another aspect involved his use of the Woodstock typewriter and the testimony of FBI document examiner Ramos Feehan. Since the presence of the typewriter, in combination with the typed documents, was central to securing Hiss's conviction, this was no peripheral matter. And FBI documents confirm that the prosecution withheld evidence which would have strengthened the defense's case. First, they disclose that FBI officials had serious doubts that the typewriter which the defense produced was in fact the machine that had once belonged to the Hisses. For that reason, FBI officials were also anxious to conceal the fact that material typed on this machine reproduced, in a general way, the errors and other characteristics of documents produced by Chambers in November 1948 and which he alleged to have received from Hiss. (If the Woodstock produced in 1949 was *not* the original Hiss machine, then the government's contention that typewriters, like handwriting, have distinctive and singular characteristics would be undermined.) Furthermore, although FBI agent Feehan had testified as an expert witness that characteristics of letters typed on the machine owned by the Hisses during the 1930s were the same as those of the Chambers-produced documents, he attributed these similarities to a number of possible factors: either that certain keys might have worn from age or use or that they were miscast during manufacture. In the latter case, these similarities might characterize all Woodstock typewriters made at the time.

More germane, at least as relating to Murphy's role, was the strategy the U.S. Attorney adopted at the second trial to leave the jury with the impression that the questioned documents had been typed by Mrs. Hiss. Advised by a juror from the first trial that expert witnesses should (if possible) establish during the second trial that Mrs. Hiss had typed the documents, Murphy requested (as recounted in an

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FBI document of July 21, 1949) that a "complete [FBI] review of these common errors [that is, common to the letters typed by Priscilla Hiss during the 1930s and the typewritten documents produced by Chambers] be made, as he feels that although he probably will not be able to use this information on the Government's case . . . he might be able to point it out in summation." Although the FBI laboratory reported back that "it would be impossible for an agent to testify that because of the similar or common errors it followed that PRISCILLA HISS actually typed the questioned documents," Murphy in his summation improperly directed the jury to "look for similarity of mistakes" and called its attention to certain mistakes.

Do these instances warrant setting aside Mr. Hiss's conviction? Had the prosecutor been more forthright would Alger Hiss have been exonerated? Do the instances, "separately or in the aggregate," warrant the conclusion that he was denied a fair trial? Perhaps, on the basis of the evidence presented by Hiss in the *coram nobis* petition, fair-minded men might differ as to whether the conviction should be vacated. There is, however, a more important issue bearing upon this petition that Hiss has failed to develop but which nonetheless is central to resolving the questions raised by his suit: did Hiss, in response to his request for FBI and Justice Department documents, receive all, and particularly the most sensitive, documents detailing the FBI's and the Department of Justice's roles in securing his indictment and conviction? That question can be readily answered: He did not. And it must be added that these documents may no longer be available.

The reference to Chankalian's "confidential" role suggests the resort to separate filing procedures adopted to prevent court disclosure or public discovery. A review of FBI documents in this case, and more generally documents that record the bureau's formal filing procedures, discloses a number of instances to confirm the incompleteness of the files that Hiss has received. What should be emphasized, however, is that our knowledge of these instances is accidental, even happenstance; one has reason to believe that the resort to these techniques has been even more extensive.

Thus, a December 9, 1948 FBI document states that Rep. Richard Nixon, during a conversation with FBI agents that day, "voluntarily stated . . . that he had worked very close [*sic*] with the Bureau and with [FBI Assistant Director Louis] Nichols during the past year on this matter [the Hiss-Chambers case]." Yet, FBI documents released under the FOIA disclose no such contact between Nixon and Nichols or other FBI agents before December 1948. And, in addition to the December 9th memorandum, there is other evidence of a close FBI/Nixon relationship during 1948. One source is an interview granted by Father John Cronin to Garry Wills; a second source is Nixon's recently published memoirs. Thus, Cronin told Wills that "Ed Hammer was one of the FBI agents I had worked with. He could have got in serious trouble for what he did, since the Justice Department was sitting on the results of the Bureau's investigation into Hiss—the car, the typewriter, etc. But Ed would call me every day, and tell me what they had turned up; and I told Dick [Nixon], who then knew just where to look for things, and what he would find." Nixon obliquely confirms this account in his memoirs: "Because of Truman's executive order [of March 1948] we [HUAC] were not able to get any direct help from J. Edgar Hoover or the FBI. However, we had some informal contacts with a lower-level agent that proved helpful in our investigations."

These references point to a combined FBI/HUAC attempt to undermine Hiss's credibility, but because the documents that would show the full nature of that relationship were not produced, we cannot tell what if any bearing it has on Hiss's *coram nobis* petition. In addition, the FBI files that Hiss did receive record at least two occasions when bureau officials resorted to separate filing and record-destruction procedures to prevent public discovery of questionable and/or illegal activities.

The first involves an October 13, 1949 memorandum from FBI Director Hoover to the Special Agent in charge of the Boston field office. In this memorandum, Hoover advised the Boston SAC that FBI agent Francis O'Brien had improperly prepared an investigative report dated August 24, 1949—a report that had included a sentence which confirmed that the FBI had wiretapped Yale law Prof. Thomas Emerson. Citing the requirements of Bureau Bulletin No. 34 of July 8, 1949, that "facts and information which are considered of a nature not expedient to disseminate or would cause embarrassment to the Bureau if distributed" should be included on the administrative page of agent reports and not in the report itself, Hoover advised the Boston SAC that agent O'Brien's report should be rewritten—the offensive sentence being deleted from the report and included instead on the administrative page.

It should be emphasized that our knowledge of Bureau Bulletin No. 34 derives exclusively from this reference—had O'Brien followed the instructions of this recently issued Bulletin, we would not have known of this particular separate filing procedure. The occasion for this Bulletin, moreover, was the considerable embarrassment caused to the FBI by a recent court order requiring the production of FBI reports during the Judith Coplon trial. Because administrative pages were unnumbered, they could be separated from agent reports—and either filed separately or destroyed. The virtue of this system is that the bureau need no longer fear being embarrassed by court disclosure orders, and that sensitive information could be safely forwarded from the field to Washington headquarters. [For a full discussion of Bulletin No. 34 and other record-keeping subterfuges of the FBI, see Theoharis: "Double-Entry Intelligence File," *The Nation*, October 2, 1977.]

Bureau Bulletin No. 34, an immediate response to an unanticipated problem, emulated more formal procedures which FBI Director Hoover had devised

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in 1940 (and which he soon refined in a series of memorandums of 1940-44). In effect, it was a "Do Not File" system. Certain documents would not be given serial numbers and not being serialized, there would be no record of their existence and they could be safely destroyed.

In time, this procedure was slightly refined: such memorandums were to be prepared on pink not blue paper (the executive branch had recently specified blue paper for interdepartmental correspondence); they would carry the notation "This Memorandum Is for Administrative Purposes—To Be Destroyed After Action Is Taken and Not Sent to Files"; and FBI officials were advised to use this procedure for "Memoranda prepared solely for the benefit of the Director which will possibly be seen by the Director and other officials and eventually be returned to the dictator [of the memorandum] to be destroyed or retained in the Director's office."

At the time when he was devising the "Do Not File" system, Hoover informed FBI officials of his decision to maintain "in the office of [FBI Assistant Director Louis] Nichols" an Official and Confidential File. At the same time, another file, a Personal and Confidential File, was to be maintained in the office of Hoover's personal secretary, Helen Gandy, consisting of "confidential items of a more or less personal nature of the Director's, and items which I might have occasion to call for from time to time, such as memoranda to the Justice Department on the Dies Committee [HUAC], etc."

Hoover's October 1941 orders may have created two sets of confidential files, but the distinction was not between official and personal documents. The Gandy file, it has since been learned, included highly sensitive but official policy documents, such as a July 19, 1966 memorandum describing the bureau's "Do Not File" policy concerning requests and authorizations to conduct break-ins. The Nichols file also contained politically sensitive documents but no "Do Not File" or blue/pink paper memorandums. These memorandums were filed under the classification "66—Administrative Matters," but it is not clear where the file was actually kept.

Recently released FBI documents involving the bureau's investigation of Alger Hiss and of the National Lawyers Guild give insights into the nature of information contained in such memorandums and also of the bureau's political activism. Three FBI memorandums (from FBI Director Hoover to FBI officials Tolson, Tamm, Ladd and Clegg and dated March 19, 20 and 21, 1946) contain the notation "This Memorandum Is for Administrative Purposes—To Be Destroyed After Action Is Taken and Not Sent to Files." Communications detailed Hoover's active efforts to secure Hiss's dismissal or resignation from the State Department in early 1946, and acknowledged his suggestion that derogatory information about Hiss be leaked to conservative Congressmen who could then pressure Secretary of State Byrnes to dismiss him. Significantly absent from this file, however, are any memorandums from Tolson, Tamm, Ladd and Clegg to Hoover or to other FBI officials detailing the action they had taken on these "informative" memorandums—and particularly from Clegg who served as FBI liaison with Congress. Clegg, moreover, had met with Sen. James Eastland at Hoover's suggestion (after Eastland had called Hoover to request the FBI's file on Hiss) and allegedly explained to the Senator that, because it was confidential, the Hiss file could not be shown without the Attorney General's approval.

That FBI officials other than Hoover utilized this procedure is confirmed by a June 28, 1949 memorandum from FBI Assistant Director Louis Nichols to FBI Associate Director Clyde Tolson. In this politically sensitive memorandum (similarly captioned "For Administrative Purposes—To Be Destroyed . . . "), Nichols reported his connection with UPI Washington Bureau Chief Lyle Wilson concerning Wilson's success in extracting from Truman's press secretary, Charles Ross, a commitment that the President would not act favorably on the National Lawyers Guild's suggestion that he initiate an investigation of the FBI.

Hoover's March 19-21, 1946 memorandums and Nichols's June 28, 1949 memorandum confirm: *(1)* that the FBI was actively involved in political activities; *(2)* that memorandums were not destroyed after action was taken but were in fact preserved in closely guarded files; *(3)* that these particular memorandums—whether Hoover's 1946 memorandums or Nichols's 1949 memorandum—were only by happenstance preserved and therefore could be made available to requestors in the 1970s. They could not be destroyed in the 1970s only because they had been given serial numbers when transferred in 1949 or 1958 to other less sensitive files.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

These separate filings, and the attendant record destruction, challenge the conclusion that the most sensitive and politically explosive FBI documents have been made available to Hiss. There remains, nonetheless, an opportunity to resolve this matter, namely, Hiss's petition either to grant his writ and vacate his conviction or grant an evidentiary hearing "for the purpose of deciding such issues of fact as may be raised by the government . . . [wherein petitioner requests] that appropriate discovery be permitted in aid thereof." Hiss's attorneys have made their alternative plea because they recognize that the court is not likely to honor the petition to vacate the verdict without giving the government an opportunity to call the writers of some of the memorandums to "explain away" their recorded statements. Such hearings, however, would also provide an opportunity to question FBI and Justice Department officials about past FBI/Justice Department separate filing and record-destruction procedures. The ongoing trial of former FBI officials L. Patrick Gray, W. Mark Felt, and Edward Miller attests to the value of this procedure.

Indicted in part for allegedly authorizing FBI break-ins during an investigation of the radical Weather Underground during 1972 and 1973, then Acting FBI Director L. Patrick Gray has challenged this count of his indictment. He has not only denied having authorized or been aware of the use of such break-ins (which the FBI began in 1971) but in one pretrial discovery motion filed on May 22, 1978 he has asked that the government make available to his counsel "all FBI documents in the government's possession, custody or control marked either 'June' and/or 'Do Not File' from the period January 1, 1960 to the present." Mr. Gray further identified these documents later in his motion: "Pertinent documents from FBI files designated as '66-1686' (the 'June' file)."

Gray's May 22, 1978 motion enables us to identify for the first time where "Do Not File" memorandums had been filed: namely, in the seemingly innocuous "Administrative Matters" file. Until Gray's pretrial motion, we could only conclude that all such documents had been destroyed.* Mark Gitenstein, the Church Committee staff counsel who reviewed Hoover's "Official and Confidential" files, uncovered no such "Do Not File" memorandums in these files. In addition, FBI officials misled the Church Committee in 1975-76 (and Clarence Kelley in 1973 when he became FBI Director) about FBI break-in activities and documents. The committee was led to believe—as was the intent of the "Do Not File" procedures—that after 1966 the FBI ceased its break-ins during domestic security investigations and that no break-in request and authorization document existed. In fact, the FBI continued its resort to break-ins and relevant documents existed—as confirmed first in 1976 when FBI documents were released to attorneys for the Socialist Workers Party and then again in 1977-78 during the Justice Department's investigation leading to the April 1978 indictments of Messrs. Gray, Felt and Miller.

It is disturbing to learn that in 1975-76 FBI officials misled a Congressional committee investigating the bureau's past illegal activities. Equally disturbing are other revelations about FBI record-destruction activities uncovered in the wake of another supplemental pretrial discovery motion filed on June 21, 1978 by former FBI Asst. Director Edward Miller (who also had headed the bureau's Domestic Intelligence Division). In this motion, Miller alleges that FBI officials destroyed between 20 and 40 percent of the FBI documents used by the Justice Department in the investigation leading to the grand jury indictments, after these documents were returned to the bureau. On June 21, an unidentified FBI official confirmed to an A.P. reporter that it was his understanding that these destroyed documents were "flimsies," that is, copies. This unidentified official conceded that it was common FBI practice to make notations on "flimsies," which notations would not appear on the originals. And Miller contends that such notations might confirm that break-ins were common over a twenty-five-year period and had been condoned by ten different administrations.

Whether or not these notations would sustain Miller's contention, it is disturbing that these so-called "flimsies" have been destroyed—the more so because they were destroyed as late as 1978 and before the trial had been completed.

Hiss's *coram nobis* suit, accordingly, is of interest not only to Hiss. It raises troubling questions not only about the fairness of his trial—particularly given the political uses made of his conviction during the 1950s and the alacrity with which contemporaries have accepted Allen Weinstein's conclusions—but poses questions that go far beyond his case. Does the American judicial system contain sufficient safeguards to insure a fair trial or, barring that, provide assurances of exoneration? Do we know, and can we learn about, the extent of past abuses of power by federal intelligence officials? One thing at least bears repetition and emphasis—it was only by happenstance that we learned of the incompleteness of the FBI's files on the Alger Hiss case, about some of the FBI's filing and record-destruction procedures, and about its officials' misleading of the Church Committee, Justice Department attorneys, and at least one FBI Director (Clarence Kelley; although L. Patrick Gray also claims not to have been briefed about FBI break-ins during his brief tenure as Acting FBI Director). Realistically, we cannot expect that these questions will be resolved—but that is because of the accidental nature of our recent discovery of the extent of FBI officials' willingness to break the law and mislead their ostensible superiors. Small comfort, that knowledge. □

*Allen Weinstein erroneously claims to have reviewed the FBI's "Do Not File" files in the Hiss case—basing this contention on his review of the three Hoover memorandums of March 1946 which he alleges were filed in Hoover's "Official and Confidential" files. Either Weinstein was misled by FBI officials or reached this erroneous conclusion independently—owing to his ignorance of FBI filing and record-destroying procedures.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

While The News Media Watch The World

Who Watches The News Media?

"All I know is what I read in the papers."

Will Rogers said that. We believe that there's some truth in this comment, and a warning, too.

Whomever we talk to, wherever we go, we try to get the truth behind the headlines. Who did what? Where? How? Did the story get distorted by the time it reached the public? If so, how? Who benefited? Did distortion affect *your* thoughts and actions?

The COLUMBIA JOURNALISM REVIEW is an eye-opener. More than any other publication in the country, CJR helps you keep your eye on the people in power (the people who make the news and the people who report it). CJR is proud to be known as the national monitor of the media.

For a limited time, CJR will be offered to you at an introductory rate of $7.95 for 6 issues, which is one-third off the regular subscription price.

Subscribe now. Our guarantee: if for any reason you wish to cancel, your money will be refunded for all unmailed issues. That's because we are confident that you'll be glad you subscribed.

Tear off and mail this coupon today

Columbia Journalism Review
200 Alton Place
Marion, Ohio 43302

SPECIAL INTRODUCTORY OFFER

☐ Send me 12 months (6 issues) of the Columbia Journalism Review for just $7.95, and bill me.

☐ I have enclosed payment with my order.

Name_____

Address_____

City_____ State_____ Zip_____

COLUMBIA JOURNALISM REVIEW D925D

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SPIES AS NEWSMEN

The 'Information Digest' Ploy

HILLEL LEVIN

Once again police informers are very much in the news. They range from Gary Rowe, now accused of participating in the Ku Klux Klan violence he reported on, to Robert Byers, who in 1974 tipped off the FBI to an alleged conspiracy behind the death of Martin Luther King. Atty. Gen. Griffin Bell refuses to identify sixteen informers and risks a jail stay for contempt of court.

Yet one informer case, which could have a devastating effect on our civil liberties, has gone almost ignored in the mass media. It involves John and S. Louise Rees, a husband-and-wife team who in the early 1970s provided police with some of their most damaging information on Washington, D.C.'s anti-war movement.

Like such better-known infiltrators as Tommy the Traveler and Boyd Douglas, famous for his connection with the Harrisburg Eight, the Reeses misled the Left as to their political sentiments, spoke provocatively of violent revolution and consistently distorted what they passed on to the police. But except for those characteristics of their trade, the Reeses did not fit the standard informer mold. During their most productive period, they were not employed by any one agency in order to crack any one specific group. Instead, they worked as what might be called free-lance agents, worming their way into a number of New Left organizations. Even more atypically, they disseminated their espionage through a mimeographed, biweekly newsletter, *Information Digest*. Such federal agencies as the IRS, Drug Enforcement Administration and National Security Agency received copies, along with state and local police throughout the nation. In many documented cases, any name listed in *ID* automatically found its way into special police files on subversive activities.

This journalistic ploy has emerged as the Reeses' major defense in the early stages of civil suits brought by the Institute for Policy Studies (IPS) and the National Lawyers Guild (NLG)—two groups compromised by the Reeses' subterfuge. (Both groups are also seeking damages for illegal surveillance by government intelligence agencies.) Claiming First Amendment rights, John Rees has refused in deposition to reveal the sources of his articles—sources which the plaintiffs charge were purloined documents and confidences.

This Rees invention—along with considerable assistance from ultraconservative Rep. Lawrence McDonald (D., Ga.)—is a dangerous assault on legal, if unorthodox, political activity in this nation.

As far as anyone knew in the spring of 1971, John Seeley and Sheila O'Connor (as the Reeses were then known) were fringe radicals of a familiar sort. Long-haired and bearded, with a portly frame and cheery British accent, John eagerly spouted Maoist rhetoric and dropped names like Mark Rudd, Jerry Rubin and the New York Crazies. Sheila, also heavy and more than 6 feet tall, towered above her companion. An intimidating, outspoken advocate of women's rights, she was unembarrassed about her lesbian connections and, when she showed up in Washington to join her boyfriend, spoke proudly of the paralegal work she had done in New York for Roy Lucas, who later successfully pleaded the Jane Doe abortion case before the Supreme Court.

John Rees, who opened a radical bookstore, the Redhouse, was among the founders of the People's Coalition for Peace and Justice and took part in planning for the 1971 May Day demonstration. The IBM typewriter and mimeograph machine in his store were always available to run off movement pamphlets.

John and Sheila were conspicuously demonstrative during the May Day protests, so it seemed natural for them to gravitate toward a group, headed by Rennie Davis, that was preparing for the expected mass indictments. A large house was rented at 1616 Longfellow, N.W. for the legal defense team. Then, in September, when it became apparent that the federal prosecutors wouldn't act, the house was dedicated as a collective to study grand juries.

The couple was accepted as tenants and soon dominated the household. That fall, 1616 Longfellow became the social center for Washington's radical community. A fixture at conferences held by the IPS (a left-wing think tank), John freely offered the house for parties and meetings. Since it had eight bedrooms and a rapid turnover of tenants, the place also became a favorite stopover for movement groups or individuals spending a few nights in Washington. Among those guests was William Kunstler, the radical lawyer, who recently found a distorted account of one of his visits in his FBI dossier. Looking back he says, "There may have been other houses where you could have stayed, but this one seemed almost domestic: furnished and clean; always good for a meal and a bed. And at the time, John and Sheila seemed like exceptionally warm and hospitable people."

One of the other tenants at 1616 Longfellow was a law student who joined the National Lawyers Guild in February 1972 and paved the way for Sheila's membership. Working as a volunteer in the woefully understaffed chapter office, Sheila quickly took control of routine operations. According to Len Cavise, a Guild lawyer working out of a desk there, "She was absolutely indefatigable, with endless energy for the most meaningless task." She reorganized files, typed minutes, updated the ever expanding donors' and membership lists, accompanied Guild lawyers to consultations to take notes and enlarged the chapter's news-

Hillel Levin is a free-lance writer living in New York City.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

letter from 2 pages to 12.

The Reeses' reputations were so well established in the Left community that even when they suddenly disappeared in June of 1973, no one came close to guessing why. Their real identities and the true nature of their involvement were not revealed until 1975, when a New York State Assembly investigator, Tom Burton, linked them to *ID*, so often cited as a "classified source" in New York State police files. Then their former friends discovered, by flipping through copies of *ID*, that during the time when they seemed such eager participants in anti-war activities, the Reeses were characterizing the peace movement as violently subversive or at least Communist, revealing its strategies, stealing confidential lists and easily misconstrued internal documents. Even more damaging was the disclosure of movement legal plans before important trials. In one case the Reeses leaked the courtroom strategy for a 1971 civil suit brought by prisoners at the Lorton, Va. penitentiary; in another, *ID* printed a precise outline of political actions designed to synchronize with the government's showcase prosecution of the Harrisburg Eight.

Understandably outraged and embarrassed by the Reeses' betrayal, movement people now wonder whether they should have spotted them for what they were. Many believe that the earliest warning signal was a dispute involving one Pat Richartz, the original tenant of 1616 Longfellow. When it was discovered that some movement money was missing, she searched the Reeses' room and found a cache of weapons and what she took to be wiretap equipment. Caught in the act, Richartz was beaten severely by Sheila. Subsequently the Reeses claimed that she had embezzled movement money. Few chose to believe Richartz and she soon left for California.

Suspicions might also have been raised by John's provocative talk of violence. He had a predilection for such groups as the Black Panthers and Young Lords and often had members to the house. The Reeses mentioned weapons they kept in their home and car, and one day Sheila created a stir in the Guild office when she flashed a pistol from her pocketbook.

Another mystery surrounding the Reeses during their time at 1616 Longfellow was the source of their income. The bookstore soon failed and Sheila never accepted a salary for her work at the Guild office. Their story was that their money came from fraudulent fund raising. Many mornings, as early as 6 o'clock, John would set off wearing a rumpled suit, black shirt and white clerical collar. The ruse, he'd say, was that he was raising funds for orphanages in Rhodesia, and he'd spend days at a time working gullible church groups. As one Guild member recalls, "John considered himself the expert when it came to scams." He often bragged about his collection of unpaid hotel bills, and shortly before they disappeared, the Reeses stuck the NLG with the tab for their stay at an Austin, Texas hotel during a national convention. They also kept the car they drove to Texas, having forged the chapter president's name to the rental papers.

Apparently the police were on to John's scams. After he told Chicago police of a conspiracy to kill Roy Wilkins at the 1968 Democratic Convention, a file was opened on him in the department's subversives section. A report there begins with the comment, "A cursory investigation indicates that Rees is at least a 'confidence man' type who possesses all of the unreliable characteristics associated with such a person."

The earliest available details of Rees's life tend to confirm that estimate of his character. Appearing before HUAC in 1968, John testified that in England he had served in the RAF as a Special Provost Marshal observing "mob and extremist movements," and after his discharge in 1954 had worked as a Fleet Street reporter. Actually, the police found, he was a shipping clerk with the rank of corporal in the RAF and performed much the same job for the newspaper. Setting off for the United States in 1963 on a fraudulently obtained ticket, he left behind two broken marriages and five children. Within a year, he made headlines as the deathbed heir of a five-month acquaintance, Grace Metalious, author of *Peyton Place*. He later renounced his claim when the estate proved worthless. The police report doesn't place him in the public spotlight again until 1967,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

when he emerged as a close associate of Newark Mayor Hugh Addonizio and Police Director Dominick Spina. He was the city's research director for a CETA "New Careers Program" until the Department of Labor discovered that, against government regulations, Rees had another job—as vice president, along with Spina, of a private company, National Goals Incorporated (NGI), which was tied closely to the local Democratic machine.

Ostensibly a consulting firm for prison and police officers, NGI failed to land a single contract. *Information Digest* first appeared under its auspices, and shortly thereafter was all that remained of the company, with Rees in sole command. His only other assistance came from his future wife, whom he met a year later while monitoring a Columbia University demonstration.

From the first issue of *ID* in October 1968, Rees made it clear that his newsletter was meant for a select few, and depended on their cooperation. "If you don't receive any more material," *ID* warns, "you'll know that you have forgotten to send on information." The content would have been useless to any but law-enforcement officials and blacklisters. (Rees has contributed material to the publication of the National Church League, a reactionary blacklisting foundation, and in 1969 and 1970 he was listed as its managing editor.) Most articles were little more than compilations of names and, in some cases, of license plates of cars parked outside a meeting hall. Promising at first to concentrate on the Black Panthers and SDS because other militants looked to "their radical leadership," Rees ends up freely associating any left-wing group with violent revolutionaries, especially since he found moderate organizations easier to penetrate than the truly militant, tightly knit cadres.

Assuming a limited readership, Rees festoons his newsletters with such warnings as, "SENSITIVE: Do not disseminate in this form." He never includes a masthead and gives only the subscription fee (now $300 a year) and a post office box for communications. In a November 1971 issue he addresses a note to "the forty people now receiving the *Information Digest*," and explains that "three people have been removed from our mailing list" for disseminating information that compromised "two sources." He adds that if *ID* material must be disseminated, "please do not use it in *ID* format—scramble and rewrite." In a later issue he printed a list of "celebrity" fund raisers for radical causes which had been confiscated from Pat Richartz. His preface actually admits it was gained in "a radical eviction" and the list concludes with a note assuring readers that "every attempt was made to restore the list to its owner, without success, as it is realized that under certain circumstances the publishing of stolen lists is illegal."

Despite Rees's shady background, the evidence is that, as in New York, the state police in Michigan, Maryland, New Hampshire and Pennsylvania took *ID* seriously. A Chicago group found four entire issues of the newsletter integrated into dossiers subpoenaed from the CIA's domestic files. The New York State police sent one report based on *ID* material to Florida authorities; it later cost the subject a civil service job. Since government agencies on all levels freely share information, the harm done to other individuals wrongly smeared as subversives by *Information Digest* cannot be calculated.

Police did more for Rees than read *ID*. In 1971 the Washington, D.C. Metropolitan Police Department (MPD) paid the rent for the Redhouse, and for a few weeks before May Day rented—and bugged—an office into which Rees was to lure unsuspecting movement leaders. Maryland state police helped him secure a post office box for *ID* communications and provided a front address to put on the application. Oddly enough, for some eighteen months *after* she dropped out of the radical community, the FBI paid Louise Rees as an informer.

In a recent interview, John denied any relationship with the police beyond that of writer/reader. And despite FBI testimony to the contrary, he insists that his wife was never a paid informer. He argues that they couldn't even be called voluntary informers. "We never told them anything that we didn't print later in the *Digest*. Of course," he adds, "if I had any warning of some future criminal action, I'd have to tell them; otherwise I'd be a co-conspirator." As for the MPD's paying rent for his bookstore, John explains that the payment was merely "a personal loan from the deputy chief which I never managed to pay back."

Rees has similarly bland explanations for security concerns expressed in *ID*. He claims that he had no intention of restricting public access to his newsletter (in ten years the readership has ballooned to 150). Instead, he says, he was worried about excessive mimeographing, especially of material already sold in that form to other magazines. He cites one story on subversives' corporate targets as having gone to *Barron's*. However he can't specify either the issue in which it appeared or the editor with whom he dealt (no one at *Barron's* remembers him). *ID* has no masthead, he says, because "that's chauvinistic." He claims that the newsletter has always been copyrighted, but the Copyright Office has no record that Rees ever made an application, and a "copyright" notice doesn't appear on the cover of *Information Digest* until 1977, the year Rees first learned he'd be called in the IPS suit.

Rees makes no apologies for his information-gathering techniques. "Why must you say 'infiltrate?' " he asks. "We were reporting. And we didn't use 'aliases'; we used pen names." As he remembers Washington, information was practically thrust upon him and Louise. "After they heard about all the wonderful work Louise did with Roy Lucas and abortion rights in New York City, the National Lawyers Guild almost begged her to work in their chapter office." (Actually, Lucas doesn't recall Louise as anything more than a competent typist whose work, at most, was secretarial.)

In the event that he loses his First Amendment

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

argument ("I'm not an informer, I'm a journalist"), Rees has a second line of defense, developed with the help of Congressman McDonald. Rees has sworn in deposition that he donated all of his IPS-related notes and documents to McDonald's office in 1975, and that those files are now a matter of Congressional privilege. McDonald also provides the bulk of the Reeses' income by employing Louise as a $16,000 a year research assistant. The youngest member on the National Council of the John Birch Society and sponsor of a bill to re-establish the House Internal Security Committee (which has the support of 177 other members), McDonald has been friendly with John Rees ever since the Englishman first moved into America's right-wing politics.

Movement members, familiar with the Reeses and their connections to Congress, law-enforcement agencies and the hard-core right wing, see their activities as further evidence of a malevolent network in government bent on curtailing left-wing politics. But a matter for equal concern is the extent to which the Reeses acted as independent intelligence entrepreneurs. Government has only begun to regulate the investigating techniques of its own employees and has yet to tackle the problem of private-sector intelligence. This disregard for the civilian side of surveillance is most evident in the final New York State Assembly report on the state police files. Although a significant amount of the material in those files was attributed to *Information Digest*, the report never attempts to describe the people behind *ID* or the nature of its contents. The New York State police may have had no part in initiating John Rees's actions, but their data bank is chock full of his special brand of information. They accepted *ID* as reliable, and confidential, source material, and by so doing unquestionably encouraged Rees in his exploits of espionage.

Regulating the Reeses' type of journalism poses a much greater dilemma. In writing *Information Digest*, they intruded unnecessarily on the privacy and the right to political activity of others, and surely their reporting tactics explored the margins of the law and professional ethics. If John Rees does manage to convince the court that his newsletter was truly a journalistic enterprise, the precedent for similar forays into "investigative journalism" would be hard for other right-wing moles to resist. □

Peacock Throne

(Continued from Front Cover)

mained unconvinced of the Shah's newly adopted humanitarian concerns. The small, spontaneous demonstrations that broke out in isolated spots around the country a year ago have coalesced into a massive resistance movement encompassing virtually every sector of the society. Full-scale uprisings, often evincing considerable planning and coordination, have taken place in every major city as well as in the small towns and villages.

Government officials described the August 11th uprising in Isfahan as most serious up to that date. Armed brigades merged with large groups of demonstrators, returning the fire of police and army units sent into the city to quell the protests. *Kayhan International*, a Tehran daily, reported that 200 military vehicles were set afire, and a military spokesman interviewed on Iranian radio justified the police and army intervention by claiming that the crowds "might have destroyed the whole city" if the troops had not stopped them. For the first time since 1953, the regime formally imposed martial law on the city, as well as on ten other towns hit by serious protests. A government team sent in to investigate the Isfahan uprising reported that "most of [the city's 700,000] people" had participated in the unprecedented revolt.

The August 19th Abadan theatre massacre, in which more than 400 people were burned alive inside a flaming, gasoline-soaked movie house, followed release of the team's findings by less than a week. Headlines around the world blamed the atrocity on "fanatical Islamic traditionalists opposed to government reforms," but domestic papers hesitated to assign guilt for the blaze in the wake of immediate, widespread accusations that the government itself had arranged the massacre to provide a pretext for a crackdown on the growing opposition. When it was learned that the theatre was featuring a Parsi film, famous for its thinly veiled criticism of the Pahlavi regime, that the police on the scene had prevented passers-by from going to the aid of the victims, and that fire crews stationed just five blocks away and considered among the best in the Middle East had arrived late, improperly equipped, and with insufficient water supplies, the regime was forced to call out its tanks and troops to put down yet another series of massive demonstrations and riots.

This time, however, the protests could not be stopped, even temporarily, by the use of force. As disorder spread across the country, the regime realized for the first time that it faced a serious challenge and hastily announced a list of "concessions." Jamshid Amouzegar, the aggressive, Western-oriented Prime Minister, was replaced by Sharif Emmami, a lackluster member of the "old guard" with close ties to the conservative wing of the religious establishment. Emmami promptly legalized the formation of "loyal" opposition parties, banned gambling, and reinstituted the traditional Shiite calendar which had been changed by royal edict just two years ago to coincide with the founding of the Persian Empire.

The reforms, symbolic moves that changed nothing of substance, only further enraged the resistance movement. In desperation, the regime declared martial law in at least twelve cities, banned all "unauthorized demonstrations," and ordered its troops to open fire on protesters who refused to obey the restrictions. Iranian officials say eighty-six

Linda Heiden is a free-lance writer living in Chicago.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

people died on September 8 in bloody confrontations with soldiers throughout Iran, but witnesses and hospital workers say the toll exceeded 2,000 in the capital city alone. Similar casualties were expected in protests elsewhere around the country.

Despite the Shah's many promises of "liberalization" and "freedom of expression," Iran has never been a country particularly hospitable to opposition rallies. Such protests, particularly when they are large, violent, and prolonged over many months, bode ill for a regime dependent upon heavy foreign investment and long-term technical aid. Iran's oil wealth is expected to dry up within the next twenty-five years, and while the country's enormous copper, natural gas and coal deposits may help to offset that loss, the ruling oligarchy must have something of substance to show for the multibillion-dollar oil trade. The Shah has promised a modern industrial economy on a par with Western Europe before the turn of the century—not an easy goal for a country that just fifteen years ago was dominated by semi-feudal economic and social relations. To reach it, Pahlavi must provide the secure political environment and stable, literate labor force required by the multinational corporate giants he hopes to attract.

But even the most severe repression has been unable to restore the stifling docility of years past. One does not have to dig very deeply to find the roots of the dissent. The Shah's economic development programs, designed and executed with considerable U.S. Government and corporate assistance, have been disastrous for Iran's workers and peasants. Land reform implemented through the Shah's "White Revolution" has forced millions of peasants into the cities, pushing pay scales for unskilled labor below subsistence levels. Meanwhile, the most fertile land has been increasingly turned over to capital-intensive agribusiness concerns owned or controlled by such multinational corporate interests as the Chase Manhattan Bank, Dow Chemical and John Deere Corporation. The production of primary goods and foodstuffs for domestic markets has given way to cash crops raised for sale on international commodity exchanges, with the result that more food is imported and the prices for it have skyrocketed. *The Middle East and African Economist* reports that some food imports are expected to rise again by more than 10 percent during the current fiscal year.

The fundamental problem, however, involves the structure of the economy itself, which has turned more and more to the purchase and upkeep of military supplies. A study last year by the U.S. House Committee on International Relations found that the Iranian defense budget has shot up by more than 800 percent since 1970, with more than 35 percent of the country's GNP being spent on identifiable defense and "internal security" procurements. Additional large sums are eaten up by luxury imports and by investments abroad (the exact figures are unknown since there are no regulations on the country's private cash outflow).

This economic pattern contributes handsomely to the profits of certain sectors of the Western economies, but it neither strengthens Iran's productive capacity nor relieves its pressing social ills. Even the massive industrialization envisioned by the regime depends heavily on foreign technology, investments and skilled labor. Furthermore, these projects are affected by international price structures and markets for their successful operation and thus inflict the burdens of foreign inflation rates, market fluctuations and monetary crises upon the Iranian economy. By the time the Shah's costly nuclear energy program, highly sophisticated communications network and labyrinthine, corrupt bureaucracy have been funded, there is little left to alleviate the social ills that are now pushing his unwilling subjects to revolt.

Who are the demonstrators and what are their aims? The Western media's characterizations of the opposition as "Moslem religious extremists" (UPI), "Islamic Marxists" (A.P.), or a combination of conservative Moslems and urban liberals have obscured the nature and object of the dissidents by placing primary emphasis on their supposed reactionary religious motivation. The central question at issue among dissident forces, however, is whether to settle for implementation of selected reforms, or to demand the total removal of the Pahlavi dynasty and its SAVAK (secret police) attendants.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Seen through the eyes of the U.S. press, organizations like the Union of National Front Forces (remnants of former Prime Minister Mossadegh's pre-coup government), splinter groups that have broken away from the Shah's Rastakhiz Party, and even the Soviet-backed Tudeh Party emerge as the most respectable opposition forces. Confining themselves to calls for free elections and an end to the government's most extreme policies of repression, they have taken special care to denounce "violent protest" and have fallen far short of advocating the Shah's overthrow. Their actions have lent an air of credibility to the regime's "liberalization" rhetoric without posing a significant threat to the status quo. Yet when martial law was declared in Tehran on September 7, even these mild fellows were rounded up and jailed—graphic evidence of how deeply the regime is committed to democratic ideals. It is, after all, the supposed "unholy alliance of black reaction and Red terror" that produces royal headaches.

The Shiite Islamic opposition, characterized by the Shah as the "black reaction," consists of two sectors. Ayatollah Ruhollah Khomeini, exiled in 1963 for his outspoken opposition to the regime, leads an ostensibly progressive group from across the western border with Iraq; his replacement, Ayatollah Ghassem Shariat-Madari, heads a more conservative faction. These two men and the mullahs under their leadership are important as relatively exempt-from-attack rallying points for the whole resistance movement. Certainly no other group in Iran can hope to call thousands of its compatriots to public meetings, rail against the regime for hours, and live to finish its tirades. Yet that is what has been happening in mosques throughout the country.

Khomeini and his followers ascribe the country's ills to the regime's dependence on Western political and economic interests. "We have to fight against the leaders of blasphemy. . .Carter and those people who are fed by him and poison the society," says Ayatollah Rezvani in a tape smuggled out of Qom. Following Khomeini's lead, Rezvani calls for "armed insurgents against the dominant system" and the establishment of a nonmonarchist "Islamic state" based on a vaguely defined nationalist, small-scale capitalist or utopian socialist economy. That the stands taken by this dominant wing of the religious opposition on land reform, the role of women, etc. have little in common with current media distortions was made evident in an interview with Khomeini published in *Le Monde* on May 6.

Shariat-Madari and his followers seem "more interested in encouraging the Shah to move to the Right than in overthrowing him," says *U.S. News & World Report*. After paratroopers invaded his home on May 10, Iranians came to Shariat-Madari for "the order to make a revolution." He told them bluntly to go home and remain quiet. Although he had been careful to criticize the regime on occasion, thus maintaining a respectable air of opposition, the rapid leftward movement of the anti-regime resistance finally forced the Ayatollah to denounce further street demonstrations and call instead for a three-month grace period to give the new government "a chance to prove itself." How little influence he now holds over the insurgent mass of Iranians can be judged from the escalating demonstrations and riots since he made that announcement.

Khomeini, on the other hand, has openly ridiculed a well-publicized invitation from the Shah to return to Iran. Far from accepting the regime's unusually respectful offer, he seized the opportunity to issue yet another call for *jihad*—holy war—against the Shah and his cohorts.

The degree to which these elements of the "black reaction" have formed an alliance with the "Red terror" is open to serious question. Shariat-Madari has discredited himself far too conclusively to expect that any radical force will associate with him. And Khomeini told *Le Monde* in May that he "will not collaborate with the Marxists, even in order to overthrow the Shah!"

But since it lacks other opportunities for mass gatherings, the explicitly leftist sector of the resistance is supporting and using the religious assemblies and protests called by Islamic leaders. Eyewitnesses to demonstrations in at least four cities have told how the explosive tensions within these crowds have been directed into militant demonstrations, despite the pleas for "struggle through silence" made by religious leaders on the scene. It is by their growing abilities to agitate, provide leadership for and organize popular discontent into armed cells and underground resistance networks that the small, overtly revolutionary organizations may present the most serious long-term danger to the regime. Their clandestine and well-trained cadres have found it possible to operate successfully under the most severely repressive conditions. They have kept the resistance movement active and visible at times when other groups were forced into silence.

Among these groups, the Organization of Iranian People's Fedayeen Guerrillas (OIPFG) has emerged as the strongest and best organized. It was the first group to take up arms against the Shah's regime in a stunning 1971 attack against a small garrison at Siakhal. Because it destroyed the myth of the regime's invincibility, their raid is considered by the left wings of both the Moslem and secular opposition to be a turning point in the movement as a whole. Over the past year, OIPFG has taken credit for attacks against numerous targets that are generally recognized as representative of the regime's oppressive policies and dependent ties to foreign interests. It has also built an impressive network of clandestine support groups around the country.

Little is known about the other guerrilla organizations. Some appear to be radical leftist collectives; others are Moslem-based groups that demand an end to the present regime and its foreign ties. Both Marxist and radical Islamic organizations find broad support in dozens of student and intellectual circles which occupy themselves chiefly with printing and distributing leaflets and planning and implementing demonstration tactics in support of the revolutionary movement. Pamphlets issued by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Rotary Web Offset

Newspapers *Catalogues*

Brochures *Circulars*

Vanguard Offset

Printers, Inc.

201
355-1100

NYC TEL. NO.
233-3690

1 Evans Terminal, Hillside, N.J.
N.Y. Bus Passes Our Door
Just 10 miles from N.Y.C.
Call for Immediate
Price Quotes

proponents of both ideologies call for unity in the struggle.

As of late September, the demonstrations continued despite the presence of tanks and troops in the streets of the nation's cities and villages, and it is impossible to predict the immediate outcome of the current resistance. But the ability of these protests to persist until now has raised doubts about the country's long-term political and economic future, and has sharpened factional conflicts within the ruling elite. Since the protests began, almost the entire bureaucracy, including the repressive apparatus of the army and the secret police, has been shaken by dismissals and resignations of its highest ranking members. Bankers speak quietly of a substantial increase in private funds sent abroad. Meanwhile, the regime's continued inability to check the disorder has greatly increased the opposition's confidence and political experience, and has provided an almost ideal atmosphere for its gradual consolidation and growth.

At hazard, of course, is far more than the personalities now controlling Iran's convoluted bureaucracy, or even the interests of the Iranian oligarchy as a whole. The Shah owes his present position to a CIA-instigated coup, which restored him to power in 1953. Since then, Iran has become the cornerstone of U.S. military and economic interests and policy in the Middle East and the Indian Ocean. Despite the Shah's posture of increasing independence, the economic development and the military buildup upon which he depends are still absolutely dependent upon Western technology and experience. In return, the Shah has obligingly played the role of U.S. surrogate, channeling arms, economic aid and trade—and in the case of Oman, outright military intervention—to Washington's friends in South Africa, Israel, Morocco, Pakistan and India. In addition, the Shah pays out nearly twice as much as he receives in trade with the United States; last year the difference amounted to $2.5 billion. The intimate U.S./Iran relationship was underscored last winter by the visits between Washington and Tehran made by Pahlavi and Carter. This exchange was followed by the granting to Iran of "most-favored-nation" status in nuclear technology and a well-publicized phone call from Carter, who took time out from the talks at Camp David on September 10, to express his continued support for the Shah.

Less than four years after the defeat of U.S. imperialism in Indochina, the same military-industrial interests which were at work there are taking far higher risks in the Middle East than they ever dreamed of taking in Vietnam and Cambodia. "Industrialists should take advantage of the atmosphere of peace and tranquility prevailing in Iran," urged former Prime Minister Jamshid Amouzegar in his budget address in early February. "One simply cannot overstate the value of the economic and political stability." Or, he might have added, the dangers of ignoring a growing mass opposition movement which the government seems barely able to contain. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOKS & THE ARTS

A.J. Liebling Abroad

NORA SAYRE

Always a fast walker, I still had to exert myself in order to keep pace with the brisk waddle of A.J. Liebling, as he strode across St. James toward a sublime meal in one of his favorite London restaurants, usually Wilton's in King Street or Jack's Club in Orange Street. Perhaps he speeded up when the destination meant eating. (His wartime friends swore that he was the only person in London who had managed to get gout during the blackout.) "Eat more," he used to croak, beaming across the table, "Have more," as I dove into huge platters of cold salmon or *tournedos* or skate in black butter. He deplored the popular fiction that the young don't need to eat—later, he would be horrified to hear that Jean Stafford sometimes fed herself mustard sandwiches when dining alone—and he used to send me cans of Swiss fondue and lush soups from Fortnum and Mason's: grouse and cockaleekie, lobster bisque and sorrel soup, which arrived like CARE packages in the small dark basement that cost 5 pounds a week and where I first began to write.

Liebling's silences were legendary; his admirers often alluded to the interview technique which served him so well: he would unnerve his subjects by staring at them asking almost nothing, so that they soon began to babble, revealing far more than they'd intended, but gaining little response from the impassive New York Buddha's face. As he wrote toward the end of his life, "A good reporter, if he chooses the right approach, can understand a cat or an Arab. The choice is the problem, and if he chooses wrong he will come away scratched or baffled. (There is a different approach to every cat and every Arab.)" Convinced that "the worst thing an interviewer can do is talk a lot about himself," he was contemptuous of the reporters "who go out and impress their powerful personalities on their subject and then come back and make up what they think he would have said if he had had a chance to say anything." He was pleased with his own preparation for a profile of the jockey Eddie Arcaro. "The first question I asked was, 'How many holes longer do you keep your left stirrup than your right?' Most jockeys on American tracks ride longer on their left side. That started him talking and after an hour, during which I had put in about twelve words, he said, 'I can see you've been around riders a lot.' I had, but only during the week before I was to meet him."

Liebling was a fairly speechless figure in the halls of *The New Yorker*, nodding affably at colleagues as he passed them, but rarely bothering to waste his words on greetings. Maybe that muteness saved his energies for writing. (Thurber, who had some fantasies about physiques and productivity, insisted that "Liebling is the only fast-writing fat man I know.") However, the silence may also have sprung from shyness. Balanced against the gleeful arrogance about his work and his success, there was a diffidence that never showed in print.

But in England—when he was separated from his second wife but had not yet met Jean Stafford—he astounded his New York acquaintances with his sudden volubility. No Anglophile, he was clearly eager to see other Americans in London. There, he became loquacious as well as scribacious, talking freely about his writing, his life, his experiences all over the world. He was also very sympathetic to beginners such as myself: recalling the early struggles, the meager earnings, the anxieties and the elations, he shared his memories of his own apprenticeship. (Elsewhere, he observed that the Pulitzer School of Journalism at Columbia, which he attended after being expelled from Dartmouth for failing to go to chapel, "had all the intellectual status of a training school for future employees of the A&P.") Warning that neither young nor seasoned writers can ever rely on an institution, he cited the anguish that he and so many others had felt on the collapse of the *World* newspapers. And he often talked about "lucky encounters," meaning many of the persons and the adventures that seemed to well up in his life by chance. But he wasn't being modest when he spoke of chance—he stressed that almost any kind of writer should perpetually expose himself to the surprises which will yield his meatiest material, and that one must develop the instinct for being in the right place at the right time, whether on a noontime walk up Broadway or heading for a foreign country just before history erupts.

Voluptuously proud of his achievements—I once asked him what I should read about the fall of France, which engrossed me at the time: "I wrote the best," he muttered happily, between mouthfuls of cassoulet, "the best"—he also seemed to identify with those who were just starting out. (He derided, as he had in print, his own contemporaries in France: some of them earnestly, tried to learn painting, but nobody tried "to learn how to write, because in the Twenties that was supposed to come naturally, like falling off a bar stool.") Once he told me about being in Paris at 23, during an irresolute period when he felt that his life hinged on an impossible decision. He was writing a novel about a 23-year-old in Paris, whose future hung upon an insoluble choice. Finally, the character caught up with his own day-to-day existence: he'd reached the very afternoon that he was writing about. Of course he couldn't finish the book. Heaving with laughter at his youthful frustrations some thirty years afterward, he had to put down his fork and wipe his eyes before he could focus on his guinea hen.

In the fall of 1956, he was researching a piece on the Crazy Gang, an elderly British foursome of music hall comedians whom he loved, when Israel, Britain and France attacked Egypt. Naturally, he couldn't resist a war, so he cabled *The New Yorker* that he must go to Egypt at once. He was outraged on being told that he should cleave to the Crazy Gang, and that Suez would be analyzed by Janet Flanner and Mollie Panter-Downes. He was tremendously fond of the latter, but he regarded all wars as his personal territory. Soon, he was in what a friend of his had classified as "a nugly mood," which probably paralleled his distress just before the outbreak of World War II, when he pined to be in France "to share the fight or the risk," but feared that he wouldn't have the opportunity to do so, or when he was balked at accompanying the American Army's First Division across the Channel on D-Day. Then he had smarted under "the ignominy of being left out of an event to which I had looked forward . . . ever since the fall of France." Still, he got his way on both occasions.

In London, he fumed further during those weeks when British taxi drivers made cracks about the "sixpence for Nasser"—the increase on their meters

---

Nora Sayre, author of Sixties Going on Seventies, *is now working on a book about the 1950s, from which this is an excerpt.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

due to the shortage of oil and gas that resulted from the blocking of the Suez Canal—while Sir John Bagot Glubb soberly informed the public that Nasser was "one of the worst troublemakers in a generation," headlines such as "Let the Crybabies Howl, It's GREAT Britain Again" burst forth in the press, and many English citizens seemed to assume that Nasser could have been easily defeated. While most of my own English friends were violently opposed to the government's action, they found themselves battling intimates and relatives with a vehemence that nearly shattered some relationships: the passions reached a pitch that I didn't witness again until Vietnam.

At the height of Liebling's disgruntlement, I went with him to the vast gathering sponsored by the Labour Party at the Albert Hall on November 6, where some 7,000 had massed to denounce the war policy of Anthony Eden and Selwyn Lloyd. (As Liebling wrote afterward, the pro-war Tories were "dizzied by memories of old pleasures like sentimental Southerners who want one more slave to beat just for old times' sake.") The protesters chanted, "Eden must go!" but most were jubilant because the ceasefire had been announced a couple of hours before the rally—hence they were celebrating their belief that they were responsible for forcing the government to reverse its position. That week, Liebling was equally absorbed in the Hungarian uprising against the Russians and in the American election. In the crowd of merry British Socialists, he was downcast, musing on the bloodshed in Budapest—the Soviet troops had returned there on November 3—and the predictable defeat of Adlai Stevenson, which occurred that very night. But he remarked that it was nice to spend some time with people who could feel victorious about anything.

He did finally get to Egypt after the fighting, arriving there in late November, and came back full of jokes about traveling to inspect the Canal in a taxi. Although he'd been disgusted with the British for the invasion, and appalled by most of the results of Britain's seventy-two-year occupation of Egypt, he did mumble with distinct shame to Emily Hahn that he hadn't liked the Egyptians as much as he'd expected to. Filtering through his *New Yorker* dispatches from Egypt was a certain reluctant distaste for the ugliness of Cairo, and the cult of personality surrounding Nasser, plus an impatience with "the ingrained Egyptian fear and suspicion of the West"—even though he felt that the latter was absolutely justified. He was extremely disturbed by the probable expulsion of the Egyptian Jews who were alleged to have "worked against the national security in favor of Israel or Britain or France," and the future of the stateless Jews who had no passports at all. His conflicting responses to Egypt inspired a characteristic Liebling image: "Mr. Hammarskjold and . . .the commander of the U.N. force have had to coddle and wheedle Egypt into accepting rescue, as if Lieutenant-Colonel Nasser were the man on the ledge and they were cops enticing him not to commit suicide."

Despising Eden, he was lavishly amused a couple of years later when I described the pre-Suez experiences of a British official at the U.N. whom I knew, who had piloted Eden around when he came to America in 1955 to address the members of the Security Council. Beforehand, Eden was very chummy in the elevator, where he kept flinging his arm around the other man's shoulder. Then Eden made a maundering speech, which was followed by a question period. Gravely offended by the first questioner's disdain for his authority, Eden left the meeting. Afterward, the atmosphere in the descending elevator was glacial. By chance, the pair journeyed downward with the same cheerful black elevator operator who had taken them to their destination. Impressed by the frosty silence, she asked, "What's the matter? You boys had a fight or something?" Liebling made me tell him that story several times in subsequent years; he said that he would have given anything to have been in that elevator: it was his kind of material.

Danger seemed to dodge him, and he appeared to be oblivious to it. He had an unshakeable placidity, which probably stayed congealed—despite inevitable moments of alarm—as he followed the First Infantry Division across North Africa during World War II, dwelling amid Messerschmitts and mine fields, and then traveled with the artillery during the 1944 offensive in Normandy, moving through the orchards full of snipers, often in company with the combat patrols. Earlier, he had sailed on a Norwegian tanker through the realms of enemy submarines on the North Atlantic, experienced the air raids of several countries, and had sprinted through shellfire with the reflection that "It is plausible that the basis of many gestures of self-preservation is simply superstition. The man involved feels that if he does not show solicitude for his own skin he will invite the retaliation of a dark power."

One night in London, Walker Evans and I were dining at Wilton's when Graham Greene entered with a scarred little man in a shiny jacket who appeared to have crawled out of the pages of *Brighton Rock*. (Of course we recognized Greene: the austere face of the dust jackets looked just as formidable bent over a menu.) Soon Liebling rolled into the small restaurant to treat himself to a glorious solitary meal.

That week, *The New Yorker* had published his long and savage attack on *The Quiet American*. Although the review was unfair, it was hilarious reading. Liebling argued that the na-

CEZANNE

These old men stamp cold feet like turkeys
ruffling ragged feathers & talk of VA hospitals
& Japanese transistors as if talk were a grip on time.
One has cheekbones round as teacups & owl-stark eyes
that roll each time he coughs his upper teeth loose.
The other, wrapped in army surplus smiles like a Pekinese
while tuning a radio pitted like a chicken coop. They've come
for the Cezanne show but I doubt the old master would wait
in a line that inches forward like a caterpillar fighting its own weight.
God knows what they expect. Color is the tree inside the tree & the skull
in the mountain of night but life in a Veterans hospital must be deadly
& soon winter will drop its dark lonely tonnage on our heads.
The truth is I've come begging. As a boy I climbed a chair to touch
the Apples *&* Oranges *& in my room mixed colors to make the fire*
that cut like knives. The old Frenchman with his oil-stained beard
& the spider's web of color shining in his eye—could he have guessed
that on a morning when the sky has grayed to the cold density of ash
& the world itself seems to have been stripped of its last string of color
so many men & women would line up five bodies deep to see the skies
& mountains & trees that are so red & blue & yellow we feel a splendor
that is the passion & the pain & the mystery of our lives?

Philip Schultz

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tionalities of the hard-bitten, worldly English narrator and the naive American had been reversed: the Englishman was a "mock-up" of a Hemingway/Bogart character, while everyone knew that the traits ascribed to the American—sexual gaucherie, a devotion to bad food, lack of imagination, the habit of speaking French abominably—were really endemic to the English. Liebling observed that "a British author snooting American food is like the blind twitting the one-eyed," and he made awful fun of Hemingway/Bogart's enthusiasm for fragile Oriental women with birdlike bones who tended to "twitter on his pillow." Declaring that the book was written in "imitation American—brutal brusque sentences tinkling with irony," Liebling dismissed Greene as "a minor American author," angrily rejecting the idea which he didn't live to share: that the American intentions in Vietnam were murderous.

At Wilton's that evening, Liebling sailed blithely into his dinner, unaware that Greene and his companion had frozen on his entrance; they stared furiously at him while whispering with their heads close together. It really did look as though a gangland execution was being planned. (Obviously, Liebling didn't know Greene by sight.) The charade of deathly enmity persisted through several courses, then Liebling joined our table for raspberries and coffee. Then the lethal glares included all three of us. Crowned with the little derby hat he usually wore, Liebling left quite soon for a conference with the Crazy Gang, still innocent of the lurid glances directed at him. As he had written years before, "The more a man sees of war, the more immediate danger has to be before he starts worrying about it."

As Walker and I strolled up St. James, laughing about the extraordinary pantomime we'd seen, we suddenly heard heels hitting the pavement hard behind us. Greene and his sinister friend passed us swiftly, then wheeled around to glower at us. All the way up that long street, they followed or flanked us: one would appear scowling in a lighted doorway, then the other would dart ahead of us, then their footsteps would echo loudly at our backs again. It was my first taste of guilt by association: as though sharing a table with Liebling meant that one shared his loathing of *The Quiet American*, or that one might even have fed him evil thoughts about the book. We finally lost our nerve and took a taxi, wondering if the great novelist was missing a few marbles—or if it merely tickled him to tease Americans. (Later, a friend of Greene's told me that he liked to play such games, to make others feel ridiculously threatened.)

When I told Liebling about it the next day, the bulging eyes widened in mild astonishment, then the fat shoulders shook. Between guffaws, he gasped that he'd heard that Greene was affronted by his review, but that he had never realized that a critic could drive a writer to parody his own characters. However, due to his unwavering passion for accents and inflections, he regretted that no one had heard the voice of Greene's intimidating guest. While I maintained that the man looked like a hood, Liebling fantasized that he was really a writer, maybe even a poet, and quoted the thesis of his friend, Prof. Charles Boxer: "Show me a poet and I'll show you a shit."

Lonely in London until he encountered Jean Stafford, Liebling hurled himself impulsively at a number of women: the suddenness of the onslaught in the taxi or on the banquette caught most by surprise. Yet he also hoped for a renewal of his marriage. He told me that his wife had asked for a six months' separation to "think about" resuming their life together. Then, when he returned to America to see her, she urged him to go away for another six months, while she "thought about" it further. He tried to make a joke of this, but as he talked, it wasn't funny at all. So he continued to pursue others with a mingling of recklessness and reserve: the abrupt lunge of a man who rather expects to be rejected. Once he made a pass at a very young Englishwoman whose parents were his close friends. She recoiled with some amazement, since she'd known him all her life and had always thought of him as a venerable, cozy uncle. (He was 53 at the time, but looked much older.) Fearing that she had hurt his feelings, she began to apologize for her involuntary squawk, explaining that to her he seemed like a relative, when he cut her short with a jovial pat on the back and rumbled, "Well, as they say in racing, they can't roll you off the track for trying."

Deeply admiring of Jean Stafford's writing, he kept joyfully exclaiming, "It's got balls" right after they met in London. A few years later, when they were married and we were all back in New York, he told me that he would like to see her on the same schedule that Willy had imposed on the young Colette, and that he wanted her to spend the summer writing dozens of stories and a whole flock of novellas. He then complained that she was giving too much time to decorating their home, and that a writer of such unique talent shouldn't waste her mind on slipcovers. "*Slip*covers," he repeated indignantly, shaking his head. He was the first husband I'd ever seen perturbed by his wife's allegiance to housework.

He also enjoyed gathering gifts for her; marvelous pieces of antique jewelry would emerge from his pockets after he'd been abroad. One day at lunch, while I was examining the earrings and the necklace which he had pushed across the table with one finger, he produced a delicate 18th-century enamel brooch: on its painted oval, Jacob was wrestling with the angel. I handed it back to him, but the finger slowly worked it across the table again, and he muttered that it was for me. He'd decided that the angel was a writer and that Jacob was an editor: in this tiny version, the angel was sure to win the struggle. He advised me to always give editors a hard time: "And never spoil them!" Nevertheless, he was mellower in the late 1950s than he had been a decade earlier, when he castigated editors who couldn't write themselves: "the reign of these non-writers makes our newspapers read like the food in *The New York Times* cafeteria tastes. It is as if, in football, only bad players were allowed to become coaches. Indifference to language thus becomes hierarchized."

Now I wear the brooch when I deal with new editors, and it's tempting to remind them of the Liebling dictum that "freedom of the press is guaranteed only to those who own one," or that the press is "the weak slat under the bed of democracy." And I often think of how he would have reveled in Watergate, of the trouble he would have made for the White House, for the press and the networks whenever there was a lapse in coverage, for any editor who tried to shackle his staff. In the 1940s he still had enough confidence in his colleagues to write that "newspapermen as a class have a yearning for truth as involuntary as a hophead's addiction to junk . . . . A few newspapermen lie to get on in the world, but it outrages them, too, and I never knew a dishonest journalist who wasn't patently an unhappy bastard."

Liebling would have luxuriated in every Nixon tape as though it had been a gourmet meal, a festival of pleasure. In 1949, during the first Hiss trial, he dissected the "intimation, in the form of a statement to the United Press by Congressman Richard M. Nixon . . . that it is un-American not to convict anybody Congressman Richard Nixon doesn't like," and noted with gusto that Nixon was unaware that "obvious" and "apparent" mean the same thing. (Nixon had said that Judge Samuel Kauf-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

man's "prejudice . . . against the prosecution" in the first trial was "obvious and apparent," and added that "the entire Truman administration was extremely anxious that nothing bad happen to Mr. Hiss.") Emphasizing that Nixon's only impact on the public during three years in the House occurred because of HUAC's investigation of the charges against Hiss, Liebling unleashed a covey of the similes and metaphors that marked his work, announcing that Nixon's "chagrin," caused by Chambers's admissions of perjury, "shines out like four fireflies in a bottle." Therefore, "from then until the end of the second trial, Nixon was in the plight of a young bank teller who has bet his life savings on a horse that looked like faltering. If Chambers lost, Nixon would be wiped out, and the old foxes of his party . . . would put a black mark against him as a young man who went too far out on a limb without testing it." However, due to Hiss's conviction, Nixon was finally able to take "his own party halo for granted."

Commenting on Nixon's behavior during the 1960 Presidential race, and his tendency "to throw himself on the bosom of Westbrook Pegler after the campaign to bewail the injustice" of reporters, Liebling concluded, "He is a brave gambler, but not a good one; he sweats, gets angry, and suffers cramps." All in all, Nixon was "running too fast to leave footprints in the sands of time." Although he was wrong about that, Liebling would have relished Nixon's voice prints, along with the host of characters who were almost born for his delectation. If only he'd lived to interview John Mitchell and Howard Hunt and the Rabbi known as Barf. □

How the News Was Invented

JAMES ARONSON

DISCOVERING THE NEWS: A Social History of American Newspapers. *By Michael Schudson. Basic Books. 226 pp. $12.95.*

The history of American journalism is papered with four kinds of books: *(1)* Fat and turgid volumes (periodically revised for profitable classroom sale) with idiosyncratic anecdotes about Horace Greeley and the inevitable facsimile of page one of *Public Occurences*, the first newspaper published on the main of America.

(2) Swashbuckling autobiographies by foreign correspondents, all of whom seem to have been born in Grand Fork, S.D., but whose bright prospect of emulation reached and elevated my 11-year-old soul above its newspaper peddling station at the corner of Blue Hill Avenue and Quincy Street in Roxbury, Mass.

(3) Dense sociological treatises funded by endless grants in which academic media authorities alien to city rooms chart and graph the number of white male readers between the ages of 7 and 12 who turn first in their newspaper to Evans and Novak (causal relationship between age and content undetermined).

(4) Irreverent and sometimes testy critiques of the American press by present or former journalists (here I plead guilty of three separate counts, with a fourth compulsive misdemeanor upcoming). These books in turn produce in the American press testy reviews reverential of John Peter Zenger, an 18th-century jailbird, but scourging of his 20th-century disciples who perpetrate their acts in his memory.

How refreshing then to come upon a comfortably slim volume which touches on all four categories, gleans something from all yet falls into none, and comes to earth with its critical faculties and scholarship as lively and sound as when it set out on its journey. Yes, Horace Greeley is there (mercifully briefly), and the swashbucklers too; sociological it is, but not obfuscatingly so (for once a subtitle fits the title); and curmudgeons growl as well. But Michael Schudson has managed to trace the development of the American newspaper and its interplay with public and government thoughtfully and intelligently, and provocatively enough to raise legitimate doubts about the usefulness of most published histories of the American press.

Schudson, a young professor of sociology at the University of Chicago, set out to write a social history of the various professions, but somewhere along the line, fortunately, he became fascinated with journalism and its place in the development of American society as a whole. As his research progressed, he discovered that most journalism histories paid little heed to the relationship between the "institutionalization of modern journalism and general currents in economic, political, social and cultural life."

So back he went to the Jacksonian era of the 1830s when, he determined, the idea of "news" itself was invented. This discovery sparked an examination of how American newspapers, until then violently partisan and subjective, began their shift to presenting news in a "nonpartisan and factual" fashion.

The invention of telegraphy in the mid-19th century and the rise of the Associated Press are generally credited with this shift. Newsgathering and delivery became much more rapid and the A.P. had to service newspapers of various political views in a manner acceptable to all. Despite this, Schudson says, "objective reporting did *not* become the chief norm or practice" in the late 19th century when the A.P. was expanding. At the turn of the century there was as much emphasis on "telling a good story" (news as literature) as "getting the facts" (news as information). Sensationalism was riding high (Pulitzer and Hearst), yet at the same time *The New York Times* was beginning its rise to pre-eminence as a sober newspaper of record.

Thus, says Schudson, "as in the Jacksonian era, so in the late 1890s, changes in the ideal of journalism did not translate technological changes into occupational norms so much as make the newspaper ideals and practices consonant with the culture of the dominant social classes." And with the expansion of the market economy—industry, railroads, overland trade, building, the growth of the cities and advertising—the dominant social class became the bourgeoisie, the successful businessmen and their increasingly sophisticated families, with money to spend and social aspirations. Until then they had been held in check by an elitist landed gentry who built the banks of marble, whose ancestral revolutionary zeal had been blunted by privilege and a theological morality suspect in its secular application.

The new penny press fed these ambitions and was fed in turn by the middle class it exploited. The career of James Gordon Bennett and his *New York Herald* (New York City clearly had the flagship papers) is a case history ably presented. But still, in the first decades of the 20th century, facts (assertions about the world open to independent validation) and values (an individual's conscious or unconscious preferences for what the world should be) were not subject to sharp division—not even at the *Times*, despite Adolph Ochs's Germanic pronunciamentos which are still to be found in self-advertisements in the *Times* itself today. In the future was the concept of

James Aronson, journalist and professor of communications at Hunter College, is the author of several books about the media. Columbia University Press will publish this fall Something to Guard, *written with Cedric Belfrage, a history of the* National Guardian *which they co-founded.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

objectivity, encompassing a "faith in facts, a distrust of values, and a commitment to their segregation."

It was not until the 1920s, Schudson maintains, that the idea of human beings individually and collectively constructing the reality they deal with moved to the center of social thought. What helped cause the change? After World War I, "journalists, like others, lost faith in the verities a democratic market society had taken for granted. Their experience of propaganda during the war and public relations thereafter convinced them that the world they reported was one the interested parties had constructed for them to report." The careers of those masters of the con—Ivy Lee and Edward L. Bernays—are cited here with their own quoted pieties mocking their eminently successful efforts.

"Objectivity" then became the law of the news pages, and "subjectivity" was institutionalized in the new popular columns and commentaries (in full blossom today on the Op Ed pages, and often replacing editorial opinion). Bylines became familiar in the news pages too—to designate responsibility—as a "simple faith in facts" was replaced by an "allegiance to rules and procedures. . .deemed legitimate by a professional community." Now facts came to be regarded not as aspects of the world but as "consensually validated statements about it." Objectivity, in this sense, meant that a person's statements about the world could be trusted only if they passed muster under the established rules. This interpretation makes more understandable the practice of what I have called "herd journalism," particularly in the Washington press corps.

But journalism, says Schudson, unlike other professions, does not have a collective independence from the market and the popular will. While there may be questions as to how independent are the values of doctors, lawyers and clergymen, for example, from their love of money and status, there is little question that professionally they are more insulated from the public than journalists. And "nothing in the training of journalists gives them license to shape others' views of the world."

Why then, Schudson asks, should there be such a passionate controversy over "objectivity"? Why should it still be a serious issue in journalism where "none of the features that guarantee objectivity in law or medicine exist or are likely to exist"? Why hasn't it been junked altogether?

The debate continued into the 1950s and 1960s, through the flood-time of Edgar Hoover and Joe McCarthy, increased government efforts to manage the news, the war in Vietnam, the Pentagon Papers and, finally, Watergate. For the first time, in the latter 1960s, there was a collective assault on the concept of objectivity by a younger generation rebelling against *all* the values of their elders. It found expression journalistically in the "underground" (really quite flagrantly aboveground) newspapers, and in an "alternative" press founded by partisans of revolt nauseated by the hypocrisy of a vaunted journalistic objectivity whose chief function was to abide by the established rules—that is, to maintain the status quo for society.

In his annotations, carefully set forth for the further adventures of scholars of journalism, Schudson quotes from Richard Rovere and Douglass Cater, interpreters of journalism in the Hoover-McCarthy period, with whom I have locked horns in the past. They cling to the myth of press people shackled by established rules (to which they make no objection) into *reporting* McCarthy's activities (after all, he did all these things, didn't he, and he was an important figure), and unable to comment on them.

Nonsense. The press helped to create, build up and sustain that North Country monster, and then, at a clear signal from the Establishment, sent him packing to dry out and die. And the myth of objectivity died in the dismantling process. There was no conspiracy; none was required.

Nor do I think there was objectivity, in the "accepted" sense, in the publication by *The New York Times* of the Pentagon Papers in 1971, or in the decision of *The Washington Post* to pursue its Watergate reporting in 1973. In each case, I believe, the ultimate decision was made with the preferences of at least a part of the Establishment in mind. It takes nothing away from the zeal and integrity of the reporters and editors involved to say that. I cheered both decisions as a great public service, and as being objective in the "nonaccepted" sense. In both the Pentagon Papers and Watergate episodes, the presentation was truly objective—that is, fair-minded and full—because facts were published which up to that time had been withheld in the "national interest." In effect, the two newspapers served the genuine national interest in unaccustomed fashion.

Objectivity often is in the eye of the beholding editor. I think about the recent page-one prominence—and column after column of review and comment—in *The New York Times* of a book of suspect scholarship on the Alger Hiss case by Allen Weinstein (it finds Hiss guilty as charged), while news of an exhaustively documented petition by Hiss (seeking to establish his innocence) was buried in the bowels of the same paper with shamefull tardiness and inaccuracy.

While you won't find this kind of detection in *Discovering the News*, you will as teacher, historian, journalist or just plain newspaper reader be helped to understand why this kind of detec-

HOW TO LOVE MOUNTAINS

Not the Berenese Oberlands,
no Grussgots *here or shagged cows*
raking chamomile, pushing moss aside
to drink from carved troughs. Not Wales,
with its stunned sheep and quarried eyes
watching the thread of climbers
over Llandudno.

This is the country of the sad bears,
the stone bowl around Missoula, where ticks
wait days to drop on any heart. Bears,
shoulders rippling, descend the clawed rim
dancing. See how they lie down with you,
flanks smelling of pitch, breath sunny
from the rape of hives.

We give them new apples, make hollows
of our bodies. They line us with damp leaves
from the old life, they'll never go back.
Know them by a litter of seeds,
by the need to pull things over you:
the slowed, internal beat
of their arrival.

Kathy Callaway

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion remains necessary—and in whose interest objective obscurity remains important. □

The Poplaw Industry

TOM GOLDSTEIN

THE MILLION DOLLAR LAWYERS. *By Joseph C. Goulden. G.P. Putnam's Sons. 346 pp. $10.95.*

The unblinking gaze of Henry Luce immortalized in a portrait dominates the room in the Time-Life Building where Jerry Finkelstein, the legal publisher and entrepreneur, and his son, James, chose to introduce the preview edition of *The National Law Journal*. It was a steamy summer Sunday, but D.A. Robert Morgenthau of Manhattan, New York's Atty. Gen. Louis Lefkowitz, Henry Rothblatt, who had just defended a dentist accused of fondling his patients, Harry Lipsig, a legendary negligence lawyer, and dozens of others came to give their blessings to the new publication—one of three now attempting to tap the new market of lawyers. Among the twenty-three member-board of editors are Joseph H. Flom, Arthur Liman, Jerome Shapiro—each one of New York's "lions in the street" according to Paul Hoffman—and Milton Freeman, Carla Hills and Edward Bennett Williams—some of the Washington "superlawyers" whom Joseph C. Goulden treated in 1972. Other board members are the "million-dollar lawyers" to whom Goulden has now turned his attention.

Something deep and dramatic is happening to the legal profession. Whereas a few years ago, all but the Whiplash Willies would shrink from publicity, preferring the role of behind-the-scenes manipulator, today not only do lawyers of dignity and renown willingly lend their prestige to commercial ventures but a group of Wall Street lawyers in the top firms actually *posed* for photographs for *Fortune* magazine.

Barriers against self-promotion are breaking down at a time when law has become the fastest-growing profession. If lawyers are not revered by President Carter or those who respond to opinion polls, they at least have the strength of numbers. There are 460,000 lawyers—a critical mass for marketing purposes, and cottage industries featuring legal seminars and time-saving gadgets for them have sprung up and prospered.

In his latest book, Goulden observes that "lawyers like money, and they pursue it unabashedly, as a matter of right." Statements of such sweep are impossible to document, but it is hard to find a lawyer who dislikes money, and for lawyers, as for those engaged in any other trade or profession, information is money. For the sake of winning cases and fees, lawyers must keep abreast of substantive developments of the law. Traditional legal publications have catered to such needs. What distinguishes the new publications—*The Legal Times* of Washington, which began in June, *The American Lawyer*, slated for publication in January and *The National Law Journal*—is that, to varying degrees, they pay attention to a second type of information, that may or may not help a lawyer earn money. That is, they include plenty of gossip about who is in and who is out, who is up and who is down. These newspapers appeal primarily to lawyers, but in the past several months, *The Washington Post* and *Esquire* have begun general circulation columns devoted not to substantive legal developments but to lawyers as personalities.

In the last decade, a dozen or so books have looked at lawyers and their profession, and the latest in the genre, *The Million Dollar Lawyers*, appears just when curiosity about lawyers is peaking. Goulden, in his folksy, down-home, "what the dickens is this all about" style, caters to the new passion for personalities. For example, he describes Louis Nizer as the lawyer "who on a talent-per-pound basis is perhaps the toughest attorney in America."

Such is the stuff of what friends of mine at the bar call Poplaw.

With money as its theme, Goulden's book lacks focus and connectives. About all that Wall Steet lawyers and personal injury specialists have in common is that they went to school three years longer than most people. In breeding, training and values, Wall Street lawyers are close to investment bankers, while negligence lawyers resemble entrepreneurs. By and large, Goulden fails to appreciate these distinctions.

Saturated with naive perceptions, disconcerting misspellings of his subjects' names and extraordinary misstatements (even with the recent explosion of law school graduates, there are not three law graduates for every job opening), the book is too thinly reasoned to hold up as a brief against the profession.

He does provide some interesting

Tom Goldstein is a reporter for The New York Times *and was founding editor of* Juris Doctor.

THE DEATH OF SAINT CLARE

My whole life comes to this place.
The stones, thin shoots of chestnut,
I have seen them often, and new.
In the evening, the moon repeats
a long series of circles. Twig,
rain, air and shrub: these are the names
of dullness.

The sisters gather
with gifts: a polished wood cross,
two carved bowls of spring-water,
and for my habit, the dry blades
of field grass. They praise death
as an opening. In the worn sequence
of my fingers, they find change,
traces of new movements. I correct them.
In the pure skies, I show them
the flat pattern of stars.

My chest rises and falls
with an even pain. Listening
to the steady lap of the water,
I remember the small voice
of my God. I call back
the stout trees, limbs unfilled
and filled as before.

Sarah Gorham

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

background, especially in his chapter on the National Student Marketing case, and he does a nice bit of work in exposing The Research Group, a company which provides customized legal briefs for lawyers (but it is puzzling how this chapter fits under the umbrella of million-dollar lawyers). His chapter on the stalling tactics of automobile companies is inconclusive and the whiff of wrongdoing by lawyers for International Business Machines is never substantiated.

Goulden, who admits to being "a lawyer freak," is at his worst and most simplistic when he steps out of the garb of a reporter and tries to become a political scientist. "Lawyers," he says, "rule us because they dominate the legislatures which write our laws, because they shape the courts that interpret the laws, and because (given factors one and two) persons in trouble have no recourse but to turn to them."

Nonetheless, this is probably an important book. Just as "superlawyers," the title of Goulden's best-selling earlier volume on lawyers, entered the popular vocabulary, within months, I suspect, many of the anecdotes and perspectives of his current book will seep into the popular culture. It is unlikely that, as Goulden concludes, "Americans have about had it with lawyers." □

Not Just Another Atrocity

ALEX BEAM

THE EXECUTION OF CHARLES HORMAN: An American Sacrifice. *By Thomas Hauser. Harcourt Brace Jovanovich. 225 pp. $8.95.*

Two young Americans were among the estimated 5,000 civilians executed in the aftermath of the *coup d'etat* that toppled Salvador Allende's government in Chile. Both were Allende sympathizers who migrated to Chile to witness South America's socialist "experiment." Charles Horman was a free-lance writer and film maker who scratched out a living with his wife in Santiago; he and Frank Teruggi, the second victim, collaborated on an innocuous "magazine" called *Source for North American Information* which reprinted articles from the American press, some forwarded by Horman's mother in New York.

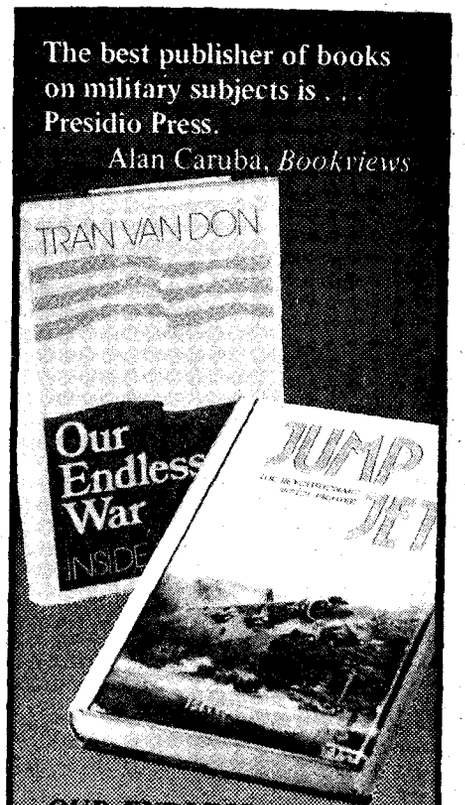
Thousands of Allende sympathizers were murdered in the weeks following the coup, and the deaths of Horman and Teruggi would be less remarkable if one could write off their murders as "just another atrocity" of the Pinochet regime. But the blame may lie closer to home; available evidence suggests that the American Government fingered Horman and Teruggi for execution.

In a short preface to *The Execution of Charles Horman*, lawyer-turned-author Thomas Hauser states his case: "Charles Horman was executed with the foreknowledge of American Embassy officials in Santiago because he stumbled upon evidence of United States involvement in the Chilean coup." After examining Horman's death, the author poses three gruesome questions: Did the Chileans kill Horman? Did the American Government try to cover up the murder? Did the American Embassy target Horman for elimination? According to Hauser, the answer to all three questions is "yes."

Charles Horman and Terry Simon, a family friend, learned of the military takeover while visiting Vina del Mar on Chile's Pacific coast. The morning after the coup, they met a U.S. naval engineer who bragged to the strangers that "We came to do a job and it's done." In nearby Valparaiso, headquarters of the sizable U.S. Military Group and Chile's principal navy base, a British secretary let drop that the American Naval Mission "knew about the coup well in advance." When Horman and Simon went to the American Mission to contact their relatives and arrange safe passage back to Santiago, they found themselves "in the middle of a monumental victory celebration," with gleeful attaches toasting the success of their Chilean military "clients." Horman, a sometime journalist (and *Nation* contributor: "TV: Daley's Hour," October 7, 1968) started to jot down notes, apparently arousing suspicion. A week later Charles Horman was dead.

The author believes that Horman was dragged from his home by military police the night after his arrival back in Santiago because he had discovered and recorded important evidence of direct U.S. involvement in the coup. His hypothesis is strengthened by the testimony of Rafael Gonzales, an interpreter who claims to have been present while Horman's fate was discussed in the office of Augusto Lutz, the junta's chief of military intelligence. As Gonzales

Alex Beam is a free-lance writer who lives in New York City.



The best publisher of books on military subjects is . . . Presidio Press.
Alan Caruba, *Bookviews*

OUR ENDLESS WAR
Inside Vietnam
Tran Van Don

A valuable contribution to American history. William E. Colby, former chief of C.I.A.

A former South Vietnamese official tells the inside story – the corruption in government, the greed of officials and their wives, the favoritism. Indispensable to understanding the paradox of Vietnam.

☐ $12.95 ISBN: 0-89141-019-8

JUMP JET
The Revolutionary V/STOL Fighter
Bruce Miles

It takes off like a hummingbird, accelerates to over 500 mph in level flight, and returns for a straight-down landing. Here for the first time is the exciting story of the U.S. Marines' new and controversial V/STOL fighter plane – an aircraft as revolutionary as the jet engine itself.

☐ $9.95 ISBN: 0-89141-021-X

At your bookstore or order from
Presidio Press Distribution Center
Box 978N, Edison, NJ 08817

Send titles checked to:
Name _____
Address _____
City _____ State _____ Zip _____
Payment encl. $ _____ Catalog ☐
Charge my: MC ☐ Visa ☐ AmExp ☐
Number _____ Expires _____

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

recalls the conversation, Lutz called Horman "a special case . . . who knows too much. He has to disappear." (Gonzales includes a tantalizing detail: a man he "presumed" to be an American was in the room when Lutz passed judgment on Horman.)

Did the Chilean military kill Horman? Yes, though perhaps not for the reasons Hauser chooses to emphasize. Horman's "proof" of U.S. *involvement* in the coup is vaporous, especially presented here in quotations reconstructed months after the fact by grief-stricken friends and relatives of Charles Horman. (Horman's notes were destroyed.) More importantly, the motive for Horman's execution existed before his trip to Valparaiso. In the eyes of the junta, Horman was an "extremist foreign element," who had even conducted a small-scale investigation of the assassination of Gen. Rene Schneider, the pro-Allende chief of the armed forces gunned down by rightist *provocateurs* in 1970. (Horman's shoestring investigation alleged CIA and State Department complicity in Schneider's death—facts confirmed three years later by the Church Committee). Other Americans with more tenuous links to the Left, including a Maryknoll priest and a Princeton University physicist, were also rounded up by the military, and escaped death only by recanting their purported "Marxist" beliefs.

Did the United States cover up Horman's death? Again the answer is "yes." Long after Charles's disappearance the Santiago Embassy told his parents their son was "in hiding," and later suggested that he had been killed by left-wing extremists masquerading as soldiers. When Edmund Horman asked the Embassy to inquire after his son through intelligence channels, the Ambassador stonily denied the existence of any kind of American intelligence operation in Chile—while sitting on top of the most active CIA station in South America. The elder Horman eventually learned of his son's death through a middle-level Ford Foundation official; only after this "leak" was the Embassy able to confirm Horman's death.

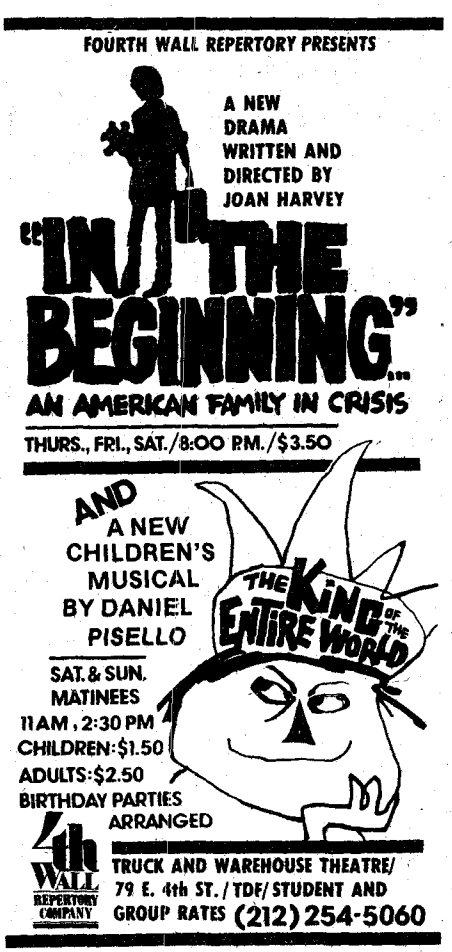
To this day the National Security Agency and the CIA refuse to declassify documents pertaining to the Horman and Teruggi cases, under the obtuse pretext of "protecting intelligence sources and methods." One of Hauser's sources correctly suggests that several of the "consular" officials who worked on the Horman and Teruggi cases were in fact undercover CIA staff. As a result, the intelligence agencies have taken refuge behind their "sources and methods" smokescreen to deny relatives and investigators access to the Horman and Teruggi case files.

As for Hauser's "ultimate question"—did the U.S. Government finger Horman for execution?—the answer is "yes, probably," but the unanswered questions are why and how. If Horman was a victim of his "discoveries" at Valparaiso why did his executioners not "eliminate" Terry Simon, his traveling companion who saw and heard everything Horman did? Furthermore, what did Horman discover? The Pentagon's hand-in-glove relations with the right wing of the Chilean military have never been secret, nor was their shared hatred of the Allende regime. Aside from the engineer's comment that "we came to do a job"—a remark that in context does *not* obviously refer to the coup—Horman and Simon gathered no evidence at all of American aid to the military plotters.

The U.S. Government may have played a different and more sinister role in the Horman and Teruggi cases. Hauser learned from a Chilean official that the junta had access to a complete dossier on Horman's activities in the United States, information that must have come from the CIA. It is known, though Hauser doesn't mention it, that the CIA kept a file on Frank Teruggi and even obtained information about him from a "friendly" European *intelligence service*. If, as Hauser reports, the CIA did pass these files on to their "friendly" Chilean counterparts, they are implicated in the murder of the two young Americans.

Hauser's book is as thorough an examination of the Horman and Teruggi deaths as we are likely to have until the iron curtain of secrecy lifts from the cases. His emotionally moving narrative suffers from two flaws. The author's "novelization" of Charles Horman's last days in Chile ("Charles was unable to sleep. Santiago frightened him . . . . ") will annoy readers searching for essential shadings of factual detail in these complex and controversial cases. The writing is clear and lively, but the reader is inundated with unconfirmed "evidence" of American involvement in the young men's deaths, claims which weaken the rhetorical power of the book.

Also, it is regrettable that there is no more than passing reference to the death of Frank Teruggi, who was hauled off and shot for no apparent reason—proof enough, if anyone still needs it, that Chile's military rulers didn't need to concoct excuses for killing off "wrongheaded" leftists, foreign born or local. □


FOURTH WALL REPERTORY PRESENTS
A NEW DRAMA WRITTEN AND DIRECTED BY JOAN HARVEY
"IN THE BEGINNING..."
AN AMERICAN FAMILY IN CRISIS
THURS., FRI., SAT./8:00 P.M./$3.50
AND A NEW CHILDREN'S MUSICAL BY DANIEL PISELLO
THE KING OF THE ENTIRE WORLD
SAT. & SUN. MATINEES 11 AM, 2:30 PM
CHILDREN: $1.50
ADULTS: $2.50
BIRTHDAY PARTIES ARRANGED
4th WALL REPERTORY COMPANY
TRUCK AND WAREHOUSE THEATRE/ 79 E. 4th ST./ TDF/ STUDENT AND GROUP RATES (212) 254-5060

FILMS

ROBERT HATCH

When the plot of what is usually called a gripping drama of greed and passion hangs on the fact that an apparently blooming young man or woman is placed under medical sentence of early death from a disease unspecified, you may be assured that the diagnostician is a pessimist to the point of incompetence. And when a couple decides that, for purposes of travel under primitive conditions, it will be convenient for them to pass as brother and sister, you are unlikely to be surprised when this titillating subterfuge creates serious complications.

However, Terrence Malick is in a large company when he creates *Days of Heaven* out of chestnuts—new devices are notoriously rare; it's how you use the old ones that count. My quarrel is that Malick uses them to construct an enormous nostalgia machine for no better purpose than to display cardboard figures in a bit of mean but unoriginal skulduggery. It is an obvious rule of fiction that, if the characters have no substance, their experiences, however extreme, are of no consequence.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

All the thought and care that goes into *Days of Heaven* is spent on the period background (1916), a time of depression just before Woodrow Wilson enjoined his countrymen to make the world safe for democracy, and prosperity smiled on us once more. The boy (Richard Gere) has struck and probably killed his foreman on the floor of a Chicago steel mill, and he and his girl (Brooke Adams), along with the little sister of one of them (Linda Manz) hop a freight train, with other migrants who are headed West for the wheat harvest. The crowd huddled in families on top of the cars is picturesque, and the train itself, crossing a high trestle in a sunset silhouette, delights the eye. Indeed, delighting the eye is the main preoccupation of this film—what with the work crews flinging themselves on the sheaves tossed aside by the high-riding, steam-driven reapers that sail through the wheat in echelon; what with the happy workers dancing saturnalia in the light of bonfires; what with a plague of locusts and a prairie fire; what with close-ups of more native beasts and birds than you would hope to find in the American Plains section of a well-stocked zoo. And the single landmark in this sea of grain rolling beneath an enormous sky is an imposing Victorian mansion, borrowed, I believe, from the film of Edna Ferber's *Giant*. It's *America, the Beautiful*, whose blessings we all sang in high school assemblies, and no expense is spared in its meticulous re-creation.

But *Days of Heaven* is not intended merely as a spectacle; it is offered also as a story, for which there must be people who must act on one another. And there, it seems to me, it was thought that almost anything would get by in the general stereophonic uproar. In the silent house lives the solitary, death-sentenced young owner of all these fertile acres (Sam Shepard). His eye has been seen to fall on Adams, a beguiling sight with the straw in her sweat-bedraggled hair; and Gere, skulking about the premises, has heard the doctor's pronouncement. So the false siblings and the kid sister stay on when the harvest is done; the older girl marries the rich invalid with the honest gaze and the sly smile, and the young plotters wait for nature to take its course. When it does not, Gere kills Shepard, a posse kills Gere, Manz is shut up in a boarding school of the dance (from which she escapes on the first night), Adams, now an heiress, boards a troop train for a destination unstated and in an hour and a half of film time we have learned nothing worth knowing about any of them.

I've been hearing that the picture tells us something about the spirit of America on the eve of World War I. But, with appropriate changes in costume and landscape, it would tell us as much about the spirit of France on the eve of Waterloo. When times are hard, overseers are tough and the people harness themselves to raise the Pharaoh's pyramid. What else is new? Or is it profitable to be told that a young man with an open face and no scruples will employ his woman's sexuality for their mutual gain? It's one of the oldest of con games, and is not much freshened by putting a young fellow in the role of the usual lascivious dodderer. Still, it could work if there were some complexity, some saving ambiguity in the situation. But Gere is given no depth to work with; he is a good-looking thug with a quick temper. Adams is an object that clings to whatever man is dominating her at the moment. Shepard, whose history is as blank as his house is uninhabited, dotes like a clockwork cuckold. And Manz, the "chorus" of the movie, observes the proceedings with the cynical innocence of a worldly child, an exercise in sentimentality that never fails to strike maternal chords in the audience. *A Slave of Love*, the Russian film reviewed here last week, was also set in 1916. This coincidence makes clear the difference between using the recent past for perspective on human behavior and exploiting it as a three-ring circus. □

THEATRE

HAROLD CLURMAN

The subject of Ernest Thompson's play *On Golden Pond* is love (Hudson Guild Theatre, 441 West 26th St.). Norman Thayer, Jr. is 80; his wife, Ethel, is 69. They have been married forty-five years. Their daughter Chelsea, 42, has been divorced and is about to marry a Los Angeles dentist who has a son of 14. There are slight abrasions in the relationships, with love as a constant.

That is all: no "story." Aristotle said that drama hangs on plot, but he had no predecessor of similar authority to dispute him. Many less distinguished people do so today, and plays like *On Golden Pond* make us incline to their side. It is all character and ingratiating conversation. The new playwright (he is 29) writes with abundant good humor and homely ease. He manages to sustain his five scenes without losing our pleased attention.

Thayer is a crusty and crotchety

IS THIS THE SHAPE OF THE FUTURE?

Will Houston be the corporate capital of the U.S. by the year 2000? Will Dallas be the center of banking? One thing is sure: Texas business is striving for such a role. Call it the Sunbelt, the Southern Rim, the New South or whatever—it all adds up to big money building its power base in the state Dun & Bradstreet cited as having the most favorable business climate in America.

The Texas Observer, with new editor Jim Hightower, has its independent eye on all this, offering in-depth reporting and lively analysis every two weeks. Texas is the front line of the corporate struggle, and the *Observer* is the one best way to know what's going on. Which is why John Kenneth Galbraith has written: "I think the *Observer* ranks with the *Progressive* as one of the two most useful papers in the United States."

I'll have a look at the new *Texas Observer*.

☐ 3 month trial / $4

☐ 1 year / $14

☐ Payment enclosed

☐ Bill me

Name _____

Address _____

City _____

State _____ Zip _____

The New Texas Observer

600 W. 7th St. / Austin, Texas 78701

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

citizen with a tongue-in-cheek leaning toward deviltry. He employs insult to keep himself going and others at a distance. He abandons these tactics only when his thrusts provoke worthy responses. His wife tells him, "You are the sweetest man in the world and I am the only one who knows it." His daughter speaks of him as narrow and bigoted and his wife agrees. He is suspicious of foreigners and doesn't favor Jews.

A resident of Maryland and retired (we never learn what he did), he regards the rest of the country as alien territory. His daughter complains—most gently—that he never made any close contact with her and she suffered neglect from her mother; her parents were too absorbed in each other. The only one to whom Mr. Thayer shows genuine affection is his future stepgrandson when his daughter brings him and her prospective husband to Golden Pond, Vt., the Thayers' summer place. As for the rest, Thayer evinces only a roughly amused tolerance. He is a dogged individualist who keeps most folk at arm's length, less from malice than from concern for his privacy. He thinks a lot and jokes about death.

The play is delightfully sentimental; in which respect it is like *Da*, another of the Hudson Guild Theatre productions. The experience is like dropping in, unexpected and probably reluctant guests, among folk one expects will prove boring or irritating, and finding oneself astonishingly charmed and cheered. The playwright has the saving touch.

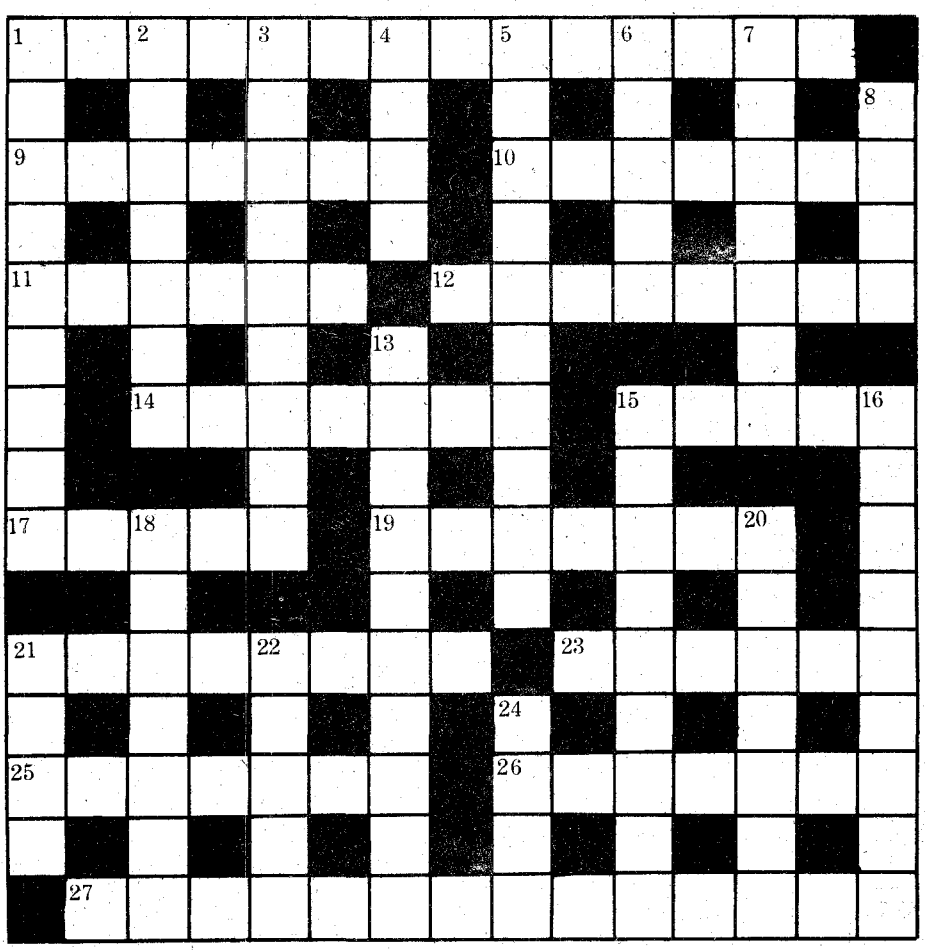
Thompson is also extremely fortunate in his cast. Frances Sternhagen has always been an excellent actress. As Ethel Thayer she is at her best. She is the wife of healthy mind and spirit, honest and sensible in all things, a fit match for her impossible husband. Ms. Sternhagen's acting possesses feeling (without "pressure"), wit (without parade), irony (without bitterness), and utter naturalness (without slackness). Above all, her presence conveys a certain moral freshness.

Tom Aldredge also excels in his perhaps more difficult role of Mr. Thayer. The puckered mouth, the faint grin, the dry playfulness, the desiccated and near-nasal tone, the strident querulousness and the shrewdly observant eye—all are finely drawn. We never lose sight that the man is capable of affection and, with a nudge or a shove, of fair-mindedness.

As director, Craig Anderson helps the entire company and all its members seem true enough to the circumstance to make us feel nicely at home with them. □

Crossword Puzzle No. 1743

FRANK W. LEWIS



ACROSS

1 How one might carry hiking equipment when not rolled up? (One is really not prone to be so—quite the opposite.) (4,2,4,4)
9 I act as I make a change in it—that's how some orientals are! (7)
10 A poor example of American character in early writing. (7)
11 and 21 across One has to at the end of summer time, as they often did with the old-time guards. (6,3,5)
12 and 15 across Roars along with the heavy vehicle being momentarily silenced. (13)
14 There's reticulation in the instrument in the window. (7)
17 Bird or louse variety. (5)
19 Someone coming aboard might ask "How does this grab you?" (7)
21 See 11 across
23 Set awkwardly in the fore-end of a ship, with give. (6)
25 Auxiliary force. (7)
26 You'll see this month, as they used to say, in a very short time. (7)
27 A political phrase implying the capital should be even for the people here. (5,3,6)

DOWN

1 Spanish saint shows foreign money is the beginning of corruption. (9)
2 Maid with a large amount of trouble? (7)
3 Cutting a coat along many sides this way? (9)
4 A hurt expression? (4)
5 The male rat is, suggesting a sort of "last" whose oxide is classified as a "first." (5,5)
6 The Essayist of the Breakfast Table? (5)
7 It might be worn by an English man over the water (across the channel). (7)
8 Strangely enough, they are even one to one. (4)
13 *H.M.S. Pinafore* or what it takes to put it on? (10)
15 State how one might address a playwright, first. (9)
16 21 across, or even the 25, had to hang on to a turnip, as they used to say. (4,5)
18 Ah, where is the sort with this that makes 27 a furtive act! (7)
20 Permit the season to drop this way? (3,4)
21, 22 and 24 What One O'Clock, Two O'Clock, Three O'Clock Jump" has, over and over. (4,5,4)

SOLUTION TO PUZZLE NO. 1742

ACROSS: 1 The Night Watch; 9 Terms; 10 Adrenalin; 11 Evident; 12 Reissue; 13 Dread; 14 Judgeship; 16 Misspells; 18 Tempe; 19 Liberty; 21 Specula; 22 Overdrive; 23 Okapi; 24 Kitchen police. DOWN: 1 Tatterdemalion; 2 Earliness; 3 Instead; 4 and 20 Heartbreak; 5 War brides; 6 Tensile; 7 Holds; 8 Interpretative; 14 Jellyfish; 15 Hammurabi; 17 Peridot; 18 Tremolo; 21 Stein.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CLASSIFIED

Go National with The Nation's Classifieds: You can reach a large audience of discriminating, educated and concerned readers throughout the United States at very reasonable rates. We charge $3 per line (45 characters or spaces)—two line minimum. Take advantage of our special offer: place an order for three insertions of your ad, and we will print a fourth insertion free! Please enclose payment and send to Amy Wilentz c/o The Nation.

PUBLICATIONS

FREE MIDEAST VOTING RECORD of the 95th Congress. The voting record contains all the U.S. Senators' and Representatives' votes on key selected Middle East legislation over the past two years. Send a stamped business size self-addressed envelope to: MIDEAST OBSERVER, P.O. Box 39132, Washington, D.C. 20016.

DEMILITARIZED ZONES: Veterans After Vietnam—"a new species of American poetry." John Felstiner, San Francisco Bay Guardian. One of the "Best Titles of 1976," Library Journal, small press review. 192 pp. $2.95 postpaid. East River Anthology. Dept. N. 75 Gates Ave., Montclair NJ 07042.

"TECHNOCRACY—Technological Social Design" available for one dollar from Technocracy Inc., Continental Headquarters, Savannah, Ohio 44874.

THE PUBLIC EYE. A new political quarterly on repression. The next issue on the US right. $8/yr. $2/issue. R.I.P. Box 3278, D.C. 20010.

READ THE GUARDIAN—newsweekly gives Marxist viewpoint on national and international news. Special 6-week trial subscription, $1. Full year $17. GUARDIAN, Dept. N, 33 West 17th Street, New York City 10011.

WORLD ARBITRATION COUNCIL Logical Imperative of the Nuclear Age. Brief White Paper for the Prevention of Nuclear War. Send One dollar to World Arbitration Report 40 Gold Star Cambridge Mass 02140.

HAS CARL SAGAN proven that Worlds Didn't Collide? But read VELIKOVSKY AND HIS CRITICS, A scientist's objective review of the debate about the cataclysmic history of our solar system. $2.45 postpaid. CORNELIUS Press, 11560-128th Ave. Grand Haven, Mich. 49417.

NEED READERS? If you want to reach people who care about the nation, try The Nation's classifieds.

LITERARY SERVICES

EDITORIAL SERVICES—Free-lance rewrite, editing, proofreading. 212-287-0026 or write Nation, Box 122.

PLAYWRIGHTS—Produced playwright, director, teacher of play-writing, will evaluate your script's strengths and weaknesses—help you decide where to go from here. Rates: Up to 50 pages—$20; 50-90 pp.—$30; full length—$50. Mail script and SASE to: Playwrights Service, Box 492 Midwood Station, Brooklyn, N.Y. 11230.

CUSTOM CROSSWORDS
Individually made for your conventions, retreats, anniversaries, family occasions! Personalized terms, names, in-jokes, etc. Camera-ready. Write: Custom Crosswords, Carol Bly, NR Odin House, Madison, Minnesota 56256.

AUTHORS: WANT TO BE PUBLISHED? Inexpensive subsidy publishing. MOJAVE BOOKS, 7040-A Darby Avenue, Reseda, California 91335.

The Nation's Best Crossword Puzzles
Book #4 is now out. Send $3.50 (postpaid) to: E.S. Lewis, 642 Elm St., New Haven, Conn. 06511. Or send $8 for a set of all four books by Frank Lewis.

EMPLOYMENT

HARVARD AB PSYCHOLOGY experienced in business administration, grant-seeking, and financial planning. Superior writing and research skills. Write Nation Box 103.

SOPRANO, college grad., 25, seeks lucrative part-time employment days. Call J. Campbell, 724-4830.

EMPLOYMENT: Experienced Economist with M.A., Woodrow Wilson School, Princeton University. Seeks employment with development consulting firm in N.Y. area—Nation Box 14.

PHOTOGRAPHY

COMPLETE PHOTOGRAPHIC SERVICES—Experienced photographer and teacher. Studio or location. Instruction available for all ages. Bob Helmond, 212-284-4079 or write Nation, Box 124.

FOR SALE

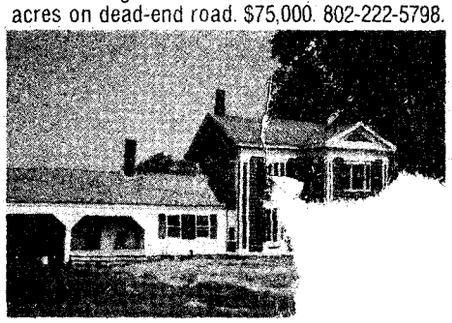
FOR SALE—Compuwriter II, Mag Set. Developer and two type fonts. Barely used, excellent condition. Call Ann Epstein at The Nation, 212-242-8400.

APARTMENT WANTED

NATION staffer in dire need of inexpensive 1 bedroom apartment Oct. 15. Prefer W. Village or Upper W. Side. Neat, responsible, refs. 242-8400, 724-3029 (eves.)

COUNTRY PROPERTY

SPLENDID HOUSE in Newbury, Vt. Country kitchen with fireplace, large living room, cherry-wood parlor, spiral staircase, 5 bedrooms. Large barn and new shed. Pond. 50 acres on dead-end road. $75,000. 802-222-5798.



PERSONALS

SWINGERS Discreet personal introductions, couples-singles. Plamates, Box 3355, York, Pennsylvania 17402. (717) 848-1408.

CASSANDRA: We'll all miss you up here in the North. Come visit soon. Love, Steinberg.

BERTRAND RUSSELL SOCIETY. New. Information: N29, RD 1, Box 409, Coopersburg, Pa. 18036.

SINGLE BOOKLOVERS gets cultured, single, widowed or divorced persons acquainted. Est. 1970. Nationwide. Write Box AE, Swarthmore, PA. 19081.

MAROON BABOONS: Congratulations on your one-month anniversary. We got a haircut, YKW. All our love, The Siblings.

"THERE IS NO DEATH" Assurance House, N1, Box 482, Lawrence, Kansas 66044.

CATALOGS

FREE CATALOG of "Distinguished Gifts." Write to G. Speck Enterprises, Dept. 1GZ, 819 Alston Avenue, Gulfport, Mississippi 39501.

NEW CATALOG, send $1.00 to: Early Music Stands, Drawer 995, P.O. Box 277, Palo Alto, CA 94302.

CLASSIFIED
$3.00 per line/2 line minimum;
6 words (45 characters or spaces) per line.
Payment must accompany all orders.
Send to Classified Dept., The Nation,
333 Sixth Avenue, NYC 10014.

MISCELLANEOUS

COMPLETELY FINISHED unique wooden lawn furniture in kit form. York Ltd., 401 Superior, Chicago, Illinois 60610.

PUBLIC ACCESS TO THE AIRWAVES
Earlier in The Nation former FCC Commissioner Nicholas Johnson debated the Van Deerlin Bill. For more information write Nicholas Johnson at the National Citizens Communications Lobby. 1028 Conn. Ave., Washington DC 20036.

HELP! Nurses Group fight pay discriminati Money and/or info: 5017 Toka Ma 53711.

FANCIFUL ANIMAL DRA cards (free style, f make keeping in tou $3.00. Niels Fredriks California 95635.

WANTED: Hum stories, et Send to

PRIVAT munisi cerpt $ nue, W

UNCOPY to. For

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sen. James Abourezk,
Bella Abzug, Julian Bond, Norman Cousins,
Clay Felker, Milos Forman, Joseph Heller,
Cong. Elizabeth Holtzman, Vernon Jordan,
Jerzy Kozinski, J. Anthony Lukas,
Sen. George McGovern, Joseph Papp,
Sen. William Proxmire, Gail Sheehy,
Tom Wicker **read it.**

Cesar Chavez, Ramsey Clark, Fred Cook,
Harold Clurman, E.L. Doctorow,
Jules Feiffer, Frances FitzGerald,
John Kenneth Galbraith, Ralph Nader,
Marcel Ophuls, Octavio Paz, Nora Sayre,
I.F. Stone, Studs Terkel,
Kurt Vonnegut, Jr. **write it.**

3

Victor Navasky **edits it.**

d the face of The Nation.
mething to see.
tion, from editorial
tier than anything
s in the people
edit it.
to our enticing

The Nation.

333 SIXTH AVENUE, NEW YORK, N.Y. 10014

YES! Send me six months (24 issues) of The Nation at the low introductory rate of $8.95. I understand I may cancel at any time and receive a prompt refund for all undelivered copies.

☐ I enclose $8.95 ☐ Bill me.
For saving you billing costs I will receive four extra issues free.

Name _____
(please print)
Address _____
City _____ State _____ Zip _____

N-2

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED